

IN THE HON'BLE HIGH COURT OF JUDICATURE AT
ALLAHABAD LUCKNOW BENCH, LUCKNOW

OTHER ORIGINAL SUIT NO.5 OF 1989
(REGD. SUIT NO.236 OF 1989)

BHAGWAN SRI RAM VIRAJMAN
AT SHRI RAM JANAM BHOOMI
AND OTHERS PLAINTIFFS

VERSUS

RAJENDRA SINGH AND OTHERS
DEFENDANTS

STATEMENT OF OPW-7
SHRI RAM SURAT TEWARI

IN THE HON'BLE HIGH COURT OF JUDICATURE AT
ALLAHABAD LUCKNOW BENCH, LUCKNOW

BEFORE THE COMMISSIONER APPOINTED BY THE
SPECIAL FULL BENCH

BHAGWAN SRI RAM VIRAJMAN
AND OTHERS PLAINTIFFS

VERSUS

RAJENDRA SINGH AND OTHERS
DEFENDANTS

EXAMINATION – IN-CHIEF OF WITNESS OPW 7 OF
RAM SURAT TEWARI UNDER ORDER 18 RULE 4 CODE
OF CIVIL PROCEDURE.

I, Ram Surat Tewari, aged about 73 years S/O Shri Mehi Lal Tewari resident of Mohalla Kandhari Town, Dist. Faizabad do hereby solemnly affirms on oath as under :

1. I am an original resident of Village BaiSinghPuri under Tehsil Sadar Dist. Faizabad. My village is situated at a distance of 8 kms. from Ayodhya. I received schooling up to middle class from the school of my village. I appeared at High School Examination from Manohar Lal High School in the year 1950. I was appointed as an Lekhpal under Tahsheel Sadar, Dist. Faizabad. In 1958 in the month of January year 1988, I retired from the service.
2. My whole family remained Vaishnav and (devotee of Lord Ram) Rambhakt. From the time of my ancestors,

we have been - worshipping Lord Ram in my family. Lord Ram is my favoured deity and I worship him every day.

3. My elder brother Ram Kewal Tewari was in service under Raja Sahab of Ayodhya. For the first time in the year 1942 during summer vacation I went to Ayodhya and stayed with my elder brother for fifteen days. Usually every day, I along with my elder brother used to go for bath in the river Saryu and have the darshan in the temples. My brother took me mainly to Hanumangarhi, Kanak Bhawan, Ratan Sinhasan, Shri Ram Janam Bhoomi etc. for darshan and told me about their importance. My elder brother and myself after having darshan of Ram Janam Bhoomi performed parikrama of Ram Janam Bhoomi and so many people were also doing the 'Parikrama' of Ram Janam Bhoomi.
4. After that I continued going to Ayodhya for four-five times in a year. And after having bath in Saryu I used to have the darshan of the main temples like Kanak Bhawan, Hanumangarhi, Shri Ram Janam Bhoomi etc. I used to go to Ayodhya usually on the occasion of Chaitra Ram Navmi, Sawan Jhula, Kartik Purnima, Parikrama Mela, Ram vivah and also during my vacation and as per my convenience. I took bath in Saryu and have darshan of temples, which continues even today.
5. During the Mela lacs of pilgrims and visitors come to Ayodhya from every corner of the country. They used to take bath in Saryu and go for darshan of the temples and mainly Kanak Bhawan, Hanumangarhi

and Shri Ram Janam Bhoomi and even today, the pilgrims and visitors take bath in the Saryu and worship there.

6. To go to the Ram Janam Bhoomi premises the main entrance gate was situated in the eastern side, which was called 'Hanumat Dwar' and outside that a very ancient slab was placed on which 'Janam Bhoomi Nitaya Yatra' words were inscribed. On both the sides of Hanumat Dwar, pillars were erected of black touch stone on which flowers, petals and human images were engraved. Human images looked like Dwarpal and their faces appeared scratched. My brother had told that the idols were of Jai and Vijay. While going from Hanumat Dwar to Ram Janam Bhoomi premises on the left side that is the southern side there existed Ram Chabootra on which the idols of Ram darbar existed. On the eastern and southern corner of Ram Chabootra below the trees of Neem and Pipal, there existed Shiv Darbar, i.e. the idols of Nandi, Ganesh, Parvati and Punch Mukhi Shiv. Below the Ram Chabootra there existed a cave temple. Near Ram Chabootra, twenty four hours Kirtan was going on by playing Dhol, Majeera and Ghanta Ghariyal. In this all Sadhus, Saints and Pilgrims and visitors used to participate.
7. While going inside the Hanumat Dwar on the right, i.e. in the northern side, there existed a very long hut which was called Bhandara. In the Bhandara all the appliances for preparing food and utensils were kept in the premises of Ram Janam Bhoomi there always existed a big assemblage of Sadhus and Saints. On the western side of Ram Chabootra, there existed a

lattice wall in which there were two doors. In side the lattice wall, there was a room having three domes. My elder brother told me that this was the birth place of Lord Rama (this is Ram Janam Bhoomi) and from the very ancient times Hindus have trust, confidence and a popular faith that Lord Vishnu had incarnated in the name of Shri Ram son of Raja Dashrath below the middle dome and this is why it has been called 'Garbh Griha'. After having the darshan of Ram Chabootra, the pilgrims and visitors used to go through doors of lattice wall to the three domed building and from there they got the darshan of 'Garbh Griha' and they offered flowers, prasad and coins towards the 'Garbh Griha'.

8. Elders too had stated that due to trust, confidence, and accepted norms among the people all the Vaishnav Hindus being devotees of Shri Ram, consider the land below the middle dome, to be the birth place of Bhagwan Shri Ram to be very pious, worthy, to be prayed and worth visiting. This is why my elder brother considered that place to be the birth place of Shri Ram and this is also my sincere and pure trust and confidence that the land below the middle dome is the birth place of Shri Ram and with this trust and confidence all the Hindu pilgrims had been doing Darshan, Pujan and Parikrama. I too had been doing Darshan, Pujan and Parikrama.
9. On the northern side of outer wall of Ram Janam Bhoomi premises, there existed one gate, which was called Singh Dwar. Above the gate, there existed two idols of lion, and in the middle, the idol of Garur was installed. In the way from Singh Dwar to Ram Janam Bhoomi premises, there existed Sita Rasoi, which was

also called Kaushalya Rasoi. There existed Chulha, Chakla-Belan and footprints etc. Pilgrims as well as visitors used to worship them.

10. The idol of Lord Varah was installed on the southern wall of the main entrance gate, which was called Hanumat Dwar. A Parikrama Road was constructed all around the Ram Janam Bhoomi which was 5 to 6 feet wide through which I used to do Parikrama and all the visitors and pilgrims too did Parikrama by this Parikrama Marg.
11. At a distance of nearly one hundred and fifty to one hundred and seventy five feet, South-East from the premises of Ram Janam Bhoomi, Sita Kund existed where an old slab was lying on which the words 'Sita Koop' were inscribed. Thinking that the water of Sita Koop to be very pious the visitors and pilgrims used to drink it and take the water home. I too had drunk the water of Sita Koop.
12. On the eastern side of the Ram Janam Bhoomi premises, Shankar Chabootra existed and there was the temple of Sakshi Gopal on the eastern side of Shankar Chabootra. The Sakshi Gopal Temple is in existence even to day. On the northern side of Sita Koop there existed some small temples and cottages and Peepal-Pakar trees.
13. On the southern side of the Ram Janam Bhoomi premises, there existed 'samadhis' of Sadhus and saints and on the southern side of this existed Sumitra Bhawan was situated. On the northern side of Ram Janam Bhoomi premises, there existed 'samadhis' of

Sadhus and Saints and a Narad Chabootra. Stairs were constructed to go to northern road from Singh Dwar which was in existence in a dilapidated condition.

14. Twelve pillars of Kasauti (touch stone) were erected inside and outside of main gate of middle Dome of the three-domed building inside the lattice wall and on those pillars a ghat-pallav, flowers and petals and the idols of Hindu Gods and Goddesses were inscribed and among them the faces of idols, hands and their legs were scratched.
15. I have never seen any Muslim coming towards Ram Janam Bhoomi premises from the time I have been visiting Ram Janam Bhoomi premises for Darshan. I have never seen any Muslim offering 'Namaz' in the premises of Ram Janam Bhoomi and in its surrounding area. In case any Muslim appeared to be coming towards the premises of Ram Janam Bhoomi, the Sadhus and Saints chased him away.
16. After Independence, with a view to construct a palatial Temple of Ram Janam Bhoomi, the Vaishnav Rambhakt Hindu people and Sadhus, and Saints started a drive and in the same connection in the year 1949 month October, November, December they started cutting of bushes and cleaning all around Ram Janam Bhoomi premises and uninterrupted by chanting Ramcharitmanas and 'Sitaram Jap' which continued for months together in which thousands of people used to participate every day and the number of people were increasing everyday. Bhagwan Shri Ramlalla gave darshan in the dawn of 22/23 of 1949

beneath the middle dome of the three-domed building and all the people started going for a Darshan.

17. By the order of the District Judge, Faizabad the lock of the lattice wall in the Ram Janam Bhoomi premises was opened in Feb.1986 and from then all the pilgrims had a Darshan of Lord Ramlalla inside the 'Garbh Griha'. After that all devotee Vaishnav Rambhakts started a movement and started organizing meetings for constructing a palatial temple at Ram Janam Bhoomi premises.
18. To construct a palatial building on Ram Janam Bhoomi, a massive meeting was organized in the first week of Dec. 1992 near Ram Janam Bhoomi Premises. By the inspiration of Lord Hanuman, some courageous Karsevaks demolished the three-domed building and again after demolishing the idol of Shri Ramlalla was replanted by observing all the religious rituals at the place of 'Garbh Griha' and from then till today worshipping is continuing.

Sd/-

DEPONENT

Ram Surat Tewari

Lucknow

Dated 19.09.2002

VERIFICATION

I, the deponent hereby affirm that the statement given at para 1 to 18 of the affidavit is true and correct to the best of my knowledge and belief. Nothing has been concealed nor any thing false has been stated therein. May God help me.

Lucknow

DEPONENT

Dated: 19.09.2002

Sd/-

(RAM SURAT TEWARI)

Deponent Shri Ram Surat Tewari has signed this affidavit today, on 19.09.2002 in my presence, which I hereby verify.

Lucknow

Dated: 19.09.2002

Sd/-

(Ajay Kumar Pandey)

Advocate

I attest the signature of suerer Ram Surat Tewari who has signed in my presence on 19.09.02

Lucknow

Ajay Kumar Pandey

Date-19-09-02

Advocate

19-09-02

Dated 19. 09. 2002

O.P.W.-7- SHRI RAM SURAT TEWARI

Before the Commissioner Shri Narendra Prasad, Additional District Judge/ Officer on Special Duty, Hon'ble High Court, Lucknow Division Bench, Lucknow.

(Appointed vide order dated 13.09.2002 of the Hon'ble full Bench in Other Original Suit No. 5/89)

Other Original Suit No.-5/89

Original Suit No.-236/1989

Bhagwan Ram Virajman at

Shri Ram Janam Bhoomi and others Plaintiffs

Versus

Shri Rajendra Singh and others Defendants

The affidavit form pages 1 to 8 of Ram Surat Tewari aged about 73 years S/o Shri Mehi Lal Tewari resident of Mohalla Kandhari Town, Distt. Faizabad presented and taken on records as his examination-in-chief..

(Cross-examination on behalf of Nirmohi Akhara Defendant No.3 by Advocate Shri Ranjeet Lal Verma)

The witness on oath stated that —

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In the disputed building very often some sadhus and hermits used to live permanently. I do not know whether the Sadhus and hermits, very often living permanently at the disputed building were from Nirmohi Akhara or not. I do not know even today about the places from where the Sadhus and hermits had come. I had been to Ram Janam Bhoomi premises for the first time in the year 1942. Even at that time, some sadhus and hermit were living there

permanently. I had the darshan of Ram Chabootra in the year 1942 and at that time, a priest was living there who used to receive Prasad and which he returned to me after offering. Before 23rd December 1949 for the last time I had been there on 15 December 1949. At that time also Sadhus and hermits used to live as they were living in the year 1942. In the corner, there existed one storeroom. Sadhus also used to sit there, which were thatched and partitioned by tin. I had never been an Lekhpal of Ayodhya. I had never seen any board posted there whenever I went to Ram Chabootra before 15th December 1949. I have never had the darshan of 'Garbh Griha' inside the disputed building between the year 1942 to 15 December 1949. None of the idols were there in the 'Garbh Griha' inside disputed building. I had been offering flowers, prasad and coins from the outside of lattice wall. The sadhus and hermits living there were picking these flowers and prasad etc. I had been to Ram Janam Bhoomi premises for the darshan even after the attachment in the year 1949. After 23rd December 1949 for the first time, I had been to the disputed premises on 30 December 1949. Prior to 6th December 1992, I had been to the premises for the last time on 25th November 1992. I had always been going to the disputed building between 30 December 1949 to 25th November 1992 and during this, I had never seen any tin board installed near Ram Chabootra. I had never been an Lekhpal at Faizabad between 1989 to 1992. During this period, I had never been an Lekhpal as I had retired from the service. I remained as an Lekhpal in Faizabad from the year 1971 to 1976: Again he stated — I was posted as an Lekhpal of Sadar Tehsil District Faizabad from the April 1953 to Jan 1988. I do not remember whether Shri. Umesh Chandra Tewari was posted as A.D.M. during my tenure or not. A surprising event happened before the sunrise on 22/23 December 1949, when the idol of Ramlalla

emerged by itself. This matter I had heard from general public talking about the incarnation of Ramlalla and I accepted these sayings to be true. The name of my elder brother was Ram Kewal Tewari who died 20 years ago. I have described about the religious places in my statement on page 3, para 6, which I have been seeing since the year 1942. The saints and hermits were living in the small temples and huts about which I had stated on page 5, para 12. I would not be able to say whether these saints and hermits were from Nirmohi Akhara or from elsewhere. There was a famous temple of Lakshman ji on the eastern southern corner of Sita Koop. Saints and hermits too were living there. I do not know from where the Sadhus, Saints and hermits had come from. I know other temples in Ayodhya, but I do not know about 'Maths' and 'Akharas'. I have heard the name of 'Digambar Akhara' I do not know the name of Nirmohi Akhara. It is wrong to say that I am concealing the matter. It is untrue to say that I am a member of the Vishwa Hindu Parishad. It is wrong to state that I am concealing intentionally that the sadhus and saints were from Nirmohi Akhara.

(Cross-examination by Shri Ranjit Lal Verma, Advocate, on behalf of Defendant No.3. Nirmohi Akhara initiated and concluded).

Statement read over and verified

Sd/-

Ram Suraj Tiwari

19.09.2002

Typed by the Stenographer in the open court on dictation by me. Witness will be on 20.09.2002 for further examination in this case.

Sd/-

(Narendra Prasad)

Commissioner

19.09.2002

Date - 20.09.2002

O.PW-7 - Shri Ram Surat Tewari

Before the Commissioner Shri Narendra Prasad, Additional District Judge/Officer on Special Duty, Hon'ble High Court, Lucknow Division Bench, Lucknow.

(Appointed vide order dated 13.09.2002 of the Hon'ble full Bench passed in the case of Bhagwan Sri Virajman and others versus Rajender Singh and others in Other Original Suit No. 5/89 (Original Suit No. 236/89))

(Cross-examination on oath of O.P.W. 7 - Shri Ram Surat Tewari initiated by Shri Abdul Mannan, Advocate on behalf of Defendant No.6 in continuation of the proceedings of 19.09.2002)

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I am a resident of Mohalla Kandhari Bazar in Faizabad. I am a original resident of Bai Singh Pure Pahalwan of Faizabad. I was born there. From the year 1965, I have been living in Kandhari Bazar and have my agriculture at original birth place. I used to go there and come back. From Kandhari Bazar Bai Singh stands at a distance of 13 kms. I do not go from Kandhari Bazar to my original residence at Bai Singh Pahalwan daily, but once or twice in a month or two. I do live in Kandhari Bazar. Kandhari Bazar comes under the jurisdiction of Faizabad Municipal Board. Ayodhya is situated approximately at a distance of seven kms. from Kandhari Bazar. I visited Ayodhya at least once a week and this routine of mine continues even today. I go on Tuesday. When I go to Ayodhya on Tuesday, I offered prasad to Hanuman ji and have the darshan. In case, I find

possible, I have the darshan of one or two temples.. Among these, one and two temples are: Kanak Bhawan, Janam Sthan and Janam Bhoomi. Janam Bhoomi Mandir was not built by Babar. It was not built by the commander of Babar. When it is not Babri Masjid how can I say who built it? It is wrong to say that the disputed building is not Ram Janam Bhoomi Temple. I have received education upto high school. I did not pass at high school and failed in the year 1950. After that I did not appear in the high school examination. During my education, I was living in the Regional Boarding House, Faizabad. That was a hostel. I used to meet my own expenses while I was living in the hostel, I used to go to Ayodhya-Hanuman Garhi on every Tuesday for the darshan. In case, I found time, I used to go for darshan in other temples also. At the time, when I was residing in the hostel my age was 18-19-20 yrs. I stayed at hostel for 5 years. During this period, if anything untoward did not happen, I must go to Ayodhya on every Tuesday.

The learned advocate cross examining the witness showed the witness F.I.R. filed under the procedures of section-145 Cr..P.C. dated 23.12.1949 and asked as to who got this F.I.R. written. Then after seeing the document, the witness replied that it was got written by Ramdev Dubey. After seeing this F.I.R, the witness stated that it was got written on 23.12.1949.. At that time Ramdev Dubey was posted as police station Incharge, Ayodhya. After seeing that first information report, the witness said that it was recorded in the FIR that the idol was installed in the mosque on the night of 22\23 December 1949, people entered and desecrated the mosque. I understand that during the period of dawn in the night of 22\23 December 1949, Lord Ramlalla got incarnated. The fact that peopled entered into the mosque and placed the idol as recorded in

the FIR is false. It is correctly written in the first information report about presence of 100-50 people, as they had assembled there for the months. It was in my knowledge that 100-50 people were there for the months. it is wrong to say that the people kept there the idols in the presence of the constable. I do not know whether some of them got arrested later on.

I am a devotee of Lord Ram. I do the darshan of Lord Ram. Lord Ram was born in Treta Yug. Treta Yug existed several lacs of years ago. This earth existed even before that period. I do believe that Ram Chandra ji was there and if in my faith also that Ram Chandra Ji was there and if someone says he was not there, then it is wrong. The date of birth of Shri Ram ji is not certain then stated that it is certain. Lord Rama was born on Chaitra Shukl Navmi. It will be wrong if historian calls it a story.

It will be wrong to say that disputed building was Babri Mosque. The disputed building, i.e. Ram Janam Bhoomi was built with black stones. It is wrong to say that 'namaz' was offered till the eve of 22\23 Dec 1949 in the disputed building. I do not remember whether it was a Friday on 22\23 December 1949 or not. I do not know whether District Magistrate had reached on the morning of 23 December 1949 or not. I do not call Babri Mosque as Janam Bhoomi. The disputed building was never a Babri Mosque. There were three domes in the disputed building. Three domes existed in the temple. I do not know whether three domes exist in a mosque or not. It is wrong to say that three pillars were erected below the disputed building and there was place to offer nowaz. It is wrong to say that 'namaz' was, offered there. It is wrong to say that till the night of 23 December 1949 'namaz' was offered in the

disputed building. In my opinion, every Hindu is a devotee of Ram. All Brahmins too are devotees of Ram. Kshatriyas too are the devotees of Ram. Vaishnavs are those who worship Ram after taking 'mantra' from the guru. 'Shudras' too are the devotees of Ram. It is wrong to say that I do not touch Shudras. He stated of his own that he shared food with them. Brahmins, Kshatriyas and Vaishyas call themselves as Hindus and fourth is also Hindu and call themselves Hindu. I am a Ram devotee.

Question: What is meant by Rambhakti?

Answer: Rambhakti means to have trust in Ram and offering prayers, puja- path and this is the meaning of Rambhakti. Astha means to have full trust in his character and deeds.

Unless you accept any thing you cannot have trust in it. You may not have seen Ram Chandra ji, you may not have seen Ram at any time, but even then faith may be there.

Question: Could faith be there even if someone has seen Ramji or not?

(On this question, Shri Ved Prakash, the learned advocate of plaintiffs raised objection saying that no issue has been framed on this point. No one has raised such any question about such fact in this case. The issue over which a decision is to be taken is that whether there was a temple over the disputed building and whether after demolishing it, efforts were made to raise a mosque. Question about faith in Ram should not be allowed to be asked because such questions are not in consonance with this case and it will not help in taking a decision in the case.)

Answer: Yes sir.

Question: You call yourself Rambhakt, how far it is justified?

Answer: I call myself a Rambhakt and it is fully justified. I remained an Lekhpal from the year 1953 to 1988. Six months after being appointed as an Lekhpal, I received training for two months. This was a departmental training. After being appointed as an Accountant, my jurisdiction comprised Nara District Faizabad, Awanpur, Siroha, Lekhpal territory, Faizabad, Sukhapur Itora, Faizabad, Revenue village Faizabad proper, Niyana Faizabad, Ranopali Faizabad, Majha Jamathra and Sarai kasi, Faizabad. Residing in all these places, I was going to Ayodhya on every Tuesday regularly. Among all these places, no place was more than fifteen kms from Ayodhya. I did not take leave on every Tuesday but at 4.00 AM. I used to go by cycle and come back. I used to go by cycle and by no other means. If I had time, I used to stay there for about an hour. It took me at the most one and half hours for going and coming.

On 6th December 1992, when the structure was demolished, I was there at my home in Kandhari Bazar. I came to know of the demolition of the structure : on that evening only and not earlier. I did not go there but many people had gone there. All the people were the devotees of Ram. I have heard that two to three lacs of people were there. I heard in the evening that the structure has been demolished. But I do not know how many people demolished the structure. I came to know from the people that the structure had been demolished. I understand that thousands of devotees of Ram would have demolished the

structure. I was not a witness to it. Babri Masque was never demolished. I do not know whether there was any Babri Mosque in existence at Faizabad or at Ayodhya. I do not know whether the four or five Muslims living at Ayodhya were expelled from that place or not. For the whole day I remained there at my home in Kandhari Bazar and had not gone to Ayodhya. Babri Mosque was neither demolished nor it fell down, therefore I had no realization regarding this. The structure was demolished. The structure of Ram Janam Bhoomi was demolished to construct a magnificent palace there. Lacs of people who assembled at Ayodhya at that time were for Karsewa. I have no knowledge as to who had brought them. I have also no knowledge how long these people stayed there. Even I do not know after how many days, they left Ayodhya. It is untrue to say that on 6 December 1992, I was in Ayodhya and I got the mosque demolished. I have no knowledge whether the Babri Mosque was demolished or not. I did not know whether two or three cases were there in the process at that time or not. Even I did not know that one case was pending in the Supreme Court and other two cases at this place. I know about the case in which I am giving my statement as a witness and have no knowledge about other cases. I have no knowledge that two to three lacs of people, who were there, fled away as the Babri Mosque was demolished. I did not know whether they had come from outside and whether they went somewhere or not. I did not know whether a case was instituted in the Supreme Court after the Babri mosque was demolished after 6th December 1992 or not. I did not know whether an observer was appointed after 6th December 1992 or not. I even did not know what the observer had done after 6th December 1992. I did not know that the Babri Mosque was demolished rather I had the knowledge that the structure of Ram Janam Bhoomi had

been demolished. I know that there were three idols in Ram Janam Bhoomi. Shri Ram Chandra ji was born there and that was the maternity home of Kaushalyaji. This is why it is called as Ram Janam Bhoomi. It is wrong to say that it was not the birth place of Shri Ram. Babri Mosque was not there. I was visiting Ram Janam Bhoomi from the year 1942. Generally, I used to go during the time of fair or on every Tuesday. I used to go in early morning time. I always used to go to Ram Janam Bhoomi during morning time at about 5.30 AM or six or seven AM. I had been there before the structure was demolished.

I have been there, i.e. Ayodhya at 6 am also. I did not go before six am inside Ram Janam Bhoomi. It is wrong to say that what I call Ram Janam Bhoomi is Babri Mosque. That is not Babri Mosque. That is Ram Janam Bhoomi where idol of Ramlalla is installed and was installed. Some of the Muslim people name it so-called Babri Mosque. I have no knowledge when the Babri Mosque was constructed. I have no knowledge whether the Babri Mosque was constructed between 1528 to 1529 or not. When during fair or on Tuesday I went to Ayodhya at 6 am. I did not go to Ram Janam Bhoomi temple at 6 am. Namaz was never prayed at disputed building before the year 1949. I had never seen 'namaz' being offered at Babri Mosque nor I had seen any Muslim there.

There are four castes of Hindus. Among these four castes marriages are not solemnized. Among these four castes, one is Brahmin one is Kshatriya, and one is Vaishya and fourth is Shudra. Among these four castes, generally no intercaste marriages are solemnized. All these four castes have their own entity. Among these four castes, no one is superior or inferior. The religious status of all these four categories are equal and financial status is different. It is

not that the Brahmins are superior among these four categories. It is my old accepted principle, therefore marriages among these four castes does not take place. I do not know another word for the accepted principle manyata. There is equality among the four castes of Hindus. I did not know that there was no Rambhakt in the south. This also I did not know that there are no Rambhakt in Bengal. In Kerala, all are Rambhakts. Rambhakts are those who worship Ram. I know about them all. I have never been to South India. The people who come to Ayodhya during fair, say that all are Rambhakts there. On 6th December 1992, neither the Babri Mosque was demolished nor I was present there. On 6th December 1992, I was at my home at Kandhari Bazar. I do not have any knowledge whether the Deputy Prime Minister Shri L.K. Advani was present there on 6th December 1992 or not. Since I was not present there on that day hence I do not know which of the ministers were there. I did not see the situation of 6th December 1992 nor I saw what had happened there on that day. I cannot say how three lacs of people reached there. I do not know whether 3.00-3.50 lacks of people had reached there simultaneously or had assembled there earlier. I had heard that three lacs people had reached there, i.e. Ayodhya. I had heard it from two to four persons of the mohalla. I had heard it in the evening of 6th December 1992. Those people did not tell how it all happened, they only stated that the structure had been demolished. They did not say how the structure fell down and who caused it to fall, they told me only that the structure was demolished. They told me on 6th December 1992, at 5.00 to 6.00 PM. I do not know whether police was there in Ayodhya at that time or not. I do not know for how long did the Deputy Prime Minister of India stay there. I cannot say whether he stayed there from 10.00 AM to 5.00-6.00 PM or not.

Question: Was a petition filed in the Supreme Court on the day the Babri Mosque was demolished?

Answer: I do not know.

I have stated in my solemn statement that my whole family was (Rambhakt) devotees of Shri Ram and from that I mean to say that my whole family worships Ram, take Prasad and 'Charnamrit'.

(Cross-examination on behalf of defendant No.6 by advocate Mannan concluded.)

(Cross-examination by advocate Zaffaryab Jilani on behalf of Defendant No.4 the Sunni Central Board of wakf begins)

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Question: On which place the building existed in Ayodhya, which Muslims were calling or called as Babri Masjid?

Answer: The place where Ram Janam Bhoomi exists is being called by some Muslims as so-called Babri Masjid.

From the year 1949 I have been hearing that some Muslims here allegedly call Ram Janam Bhoomi Temple as Babri Mosque. For the first time I heard it at Ayodhya, but I do not remember from whom I heard this. At that time, i.e., in the year 1949, I was a student and was living in Faizabad. I was a student of class 9 Upto class 9 I studied the book of History. In that book, I had read that, Babar was the King of India (Bharat Varsh). I do not remember whether I had read in that book that rule of Mughals in India had started with Babar or not. Till the year 1949, I had read too much about Hanuman ji. Again stated — not

read, but had learnt from scholars, saints like Harihar Das ji and Raghuwar Das ji of Ayodhya. These two were saints and not scholars. Raghuwar Das ji was popular by the name of Mahant Raghuwar Das. He was Mahant of this big building, which is called Dashrath Mahal. In the year 1949, when I had met him, he appeared to me as 50 years old as per my estimation. Harihar Prasad ji was the Mahant of Ram Janam Sthan Temple. I call Janam Sthan Temple, which is situated on the northern side of the disputed building. Harihar Prasad ji would have been of 45 years of age when I had met him. I used to meet these people very often, i.e. once in a month or two and sit with them for an hour or two. I do not remember the name of any sadhu or a scholar of Ayodhya from whom I could have learnt about Hanuman ji. I did also learn about Hanuman ji from Pandit Sukhdev Shastri & Shitla Prasad Acharya of my village. Neither had I learned about Hanuman ji from any saint or scholar from Faizabad nor I asked about it from any saint or scholar. From year 1949 till today, I have read Hanuman Chalisa and Hanumanashtak as the hymns in the praise of Hanuman ji. I did not study any other book about him. I have read a Hindi commentary of Sarvpalli Radha Krishnan on Balmiki Ramayan. I have read Ramcharitmanas and read it daily. The description of Hanuman ji is available in both two books and I have read that. I do not know whether Sarvpalli Radha Krishnan has commentary on Ramayan has called Ramayan as story. I consider Sarvpalli Radha Krishnan as a scholar having faith in the Hindu religion. I also consider it that Sarvpalli Radha Krishnan was a devotee of Ram and had faith in him. I have no knowledge whether Radha Krishnan ji had come to Ayodhya or not. I do not know whether there is any description about the Janam Bhoomi or Ram Janamsthali in that book written by Shri Sarvpalli Radha Krishnan, as I have not read the book

vigorously. I consider Mahatma Gandhi as a devotee of Ram. I do not know whether Mahatma Gandhi had pronounced 'Hey Ram' at the time he was assassinated or not. I know that Mahatma Gandhi wanted to establish Ram Rajva in this country. I have the confidence that the Ram Chandra ji of whom Mahatma Gandhi was devotee, was the same Ram Chandra ji who was the son of Raja Dashrath. I do not know if Gandhi ji had written anything about the same Ram Chandra ji, whom he considered to be the ideal of the people and the ideal for him also. Gandhi ji was reciting 'Raghupati Raghav Raja Ram' in the morning and in the evening daily. And this I know that he worshipped Rama, who was the son of Dashrath Ji. For the sake of the independence of the country, he had travelled throughout the country. I do not know whether Gandhi ji ever went to the place, which I call Janam Bhoomi or not and which is a disputed place. I do not remember whether Gandhi ji had been to Ayodhya and Faizabad. I know that Gandhi ji had studied Indian History. Gandhi ji was against the western culture but very fond of Indian Culture. I have the knowledge that hundreds of books comprising articles, letters, and speeches of Gandhi ji have been published. Gandhi ji was a religious man and he had a good knowledge of religion. I have never read any book written on Gandhi ji or written by Gandhi ji. I do not know whether Gandhi ji had written it in any of his articles or book or mentioned in any of his speech that the disputed site had been Ram Janam Bhoomi Sthal or a temple. I have heard something that in the year 1934, a pot had broken out. I have also heard that the disputed building was damaged during that riot. I do not remember whether Gandhi ji was organising freedom movement at that time or not. I am aware that Dr. Ram Manohar Lohia and Acharya Narendra Dev were from Faizabad and remained associated with

Faizabad till last. They were learned people and they had very good knowledge of History. These people were alive during my time. I have heard that these people have also written books and articles. Neither I have read their books nor I have heard that there was any description in their articles or books about the existence of Ram Janam Bhoomi or any temple at the disputed building at any time. C.Raj Gopalachari was the Governor General of India after the independence. He was also a very learned person and he had written many books. He was also a great scholar of Hindu religion and had also written many books on Hindu religion. He was a devotee of Lord Ram but I cannot say whether he has written any book on Ramayan or not. Dr. Rajendra Prasad who was the first President of India was a well-read person, a scholar of History and a religious man. He had also a very good knowledge of Hindu religion and was a devotee of Shri Ram. Pandit Jawaharlal Nehru was a very learned and competent person and had also written a book named 'Discovery of India'. I did not find any opportunity to read their articles or books. I have not heard whether any of these people in their articles or books had stated about the existence of Ram Janam Bhoomi or the temple at the disputed site.

Lal Bahadur Shastri ji, Pandit Govind Vallabh Pant, Pandit Kamalapati Tripathi were among very great people of Uttar Pradesh and were very learned people; and were religious by temperament and were devotees of Lord Shri Ram. I have neither heard nor read their articles or books. I have heard that they used to give speeches. I do not know whether they had ever come to Faizabad. I have not heard whether they might have been to the disputed site or not. I do not know that Pandit Nehru, Dr. Rajendra Prasad etc. whose names I have stated above might have been to the disputed site or not. I do not remember the names of the

great people from the field of Politics, History and spiritualism, who had visited the disputed site. I do not remember the names of great people of India in the field of Politics, history and scholars etc. who visited disputed site. Again stated, "I have knowledge about the great people of India from the field of spiritualism, who had visited the disputed site and their names are Prabhu Dutt Brahamchari, the present Sankracharya of Prayag Shringeri Math, whose name I do not remember and also other great saints have visited this place, but I do not remember their names.

I have heard the name of Guru Golwalkar. I do not know whether he is a great man or not. I have not heard whether he was a founder of the Rashtriya Swayamsewak Sangh or not. I do not know as to who was the founder of Rashtriya Swayamsewak Sangh. I even do not know when this institution was founded.

I have never heard about the visit of Golwalkar Saheb at the disputed site. Besides the names of these two people, about whom I have stated earlier, till the year 1949, I have no knowledge about any great person visiting the disputed site. The leader of the Bhartiya Janta Party, earlier known as Jansangh, Shri Atal Bihari Vajpaye ji who is the Prime Minister of India today. I do not know when was the Jan Sangh party set up. I have heard the name of Dr. Shyama Prasad Mukherjee and Deen Dayal Upadhyay being the leaders of the party. I do not know whether Shyama Prasad Mukherjee had ever visited the disputed site or not.

Statement read over and verified
Sd/-

Ram Surat Tewari
20.09.2002

Typed by the Stenographer in the open court on dictation by me. Witness will be present on 23 .09.2002 for further examination in this case.

Sd/-
(Narendra Prasad)
Commissioner
20.09.2002

Date - 23 09 2002

OPW-7 - Shri Ram Surat Tewari

Before the Commissioner Shri Narendra Prasad, Additional District Judge/Officer on Special Duty, Hon'ble High Court, Lucknow Division Bench, Lucknow.

{Appointed vide order dated 13.09.2002 of the Hon'ble full Bench passed in the case of Bhagwan Sri Virajman and others versus Rajender Singh and others in Other Original Suit No. 5/89 (Original Suit No. 236/89)}

(Cross-examination on oath of O.P.W.7 - Shri Ram Surat Tewari begins by Shri Zaffaryab Jilani, Advocate on behalf of Defendant No.4 - Sunni Central Board of Wakf in continuation of 20.09.2002)

Pandit Deen Dayal Upadhyay was the Chairman of Jansangh. I do not know whether he had been to the disputed site at any time or not. The present Prime Minister of India Shri Atal Bihari Vajpayee ji was formerly leader of Jansangh and at present, he is a great leader of Bhartiya Janta Party. I do not know whether he has visited the disputed site or not. I have heard that Shri Atal Bihari Vajpayee ji a great writer and a poet. I do not know whether in any of his articles or poems, he has written about the existence of Ram Janam Bhoomi at the disputed site or not. I do not have the knowledge whether anything is written in any of his article or poem about the construction of a mosque after demolishing of the temple. I have heard the name of Dr. Sampurnanad, who has been the Chief Minister of this state and has also been a great scholar. I have never heard anywhere that in any of his articles or speeches about construction of a mosque after demolishing

the temple on the disputed site. Pandit Deen Dayal Upadhyay was also a scholarly person, I do not know whether he has described the disputed site as Ram Janam Bhoomi and the fact of construction of a mosque after demolishing the temple at that place in any of his articles. Shri Chandra Bhanu Guptaji has been a great leader and the Chief Minister of this state. He was a great scholar as well as a freedom fighter. I do not know whether he has even stated in any of his articles or speeches that the Ram Janam Bhoomi existed over the disputed place or not and also that the mosque was built after demolishing the temple on the disputed place. Pandit Hemwati Nandan Bahuguna has been the Chief Minister of this state and he was also a Minister in the Central Government, and I do not know whether in any of his speeches or articles, he has described that the disputed place was RamJanam Bhoomi and the Mosque was constructed after demolishing the temple there. Shri Vishwanath Pratap Singh has been the Chief Minister of this state and Prime Minister of India and I do not know whether he has mentioned in any of his articles and speeches that the disputed place was Ram Janam Bhoomi and that the Mosque was constructed after demolishing the temple. I do not know that Dr. Sampurnanand ji, Shri Vishwanath Pratap Singh ji, Shri Chandra Bhanu Gupta ji, Shri Hemwati Nandan Bahuguna ji have been to the disputed site or not. In this country, the existence of Shankracharya has been continuing for thousand of years. The Shankaracharya happened to be in the four "peeths". At present, among the Shankaracharya of four peeths, only the Shankaracharya of Puri had come to the disputed site, this I have heard. The other Shankracharyas of the remaining three visited the disputed place or not is not known to me. I cannot tell in which year the said Shankaraharya of Puri had visited the disputed

place and I cannot also say whether he had come after 1942 or earlier. His disciples had stated in his speech that his Guruji, i.e. the Shankracharya of Puri had visited this place and that is the basis of my knowledge. He had stated this at Ayodhya sometimes between October and November 1949 in his speech. I had myself listened to his speech. I do not remember the name of that Shankaracharya and his disciple. I do not remember the name of any of the four existing Shankracharyas. I have heard that Swami Sampurnanand Ji is the Shankaracharya, but he is Shankaracharya of which place is not known to me. I do not know whether he is the Shankaracharya of Dwarka Peeth or not. I have heard the name Of Shankaracharya Jayendra Saraswati. Kanchi Kam Koti is the name of a peeth but I do not know whether Jayendra Saraswati ji is the Shankaracharya of that Peeth. I have heard the names of Dwarka Peeth, Puri Peeth, Kanchi Kam Koti Peeth and Shringeri Peeth. I do not know where all these four peeths are situated, i.e. in which districts. Dwarka Peeth is situated in Gujarat. I do not know where the other three Peeths are situated. The Peeths are situated at the places for thousand of years. I know that all the four Shankaracharyas agree to whatever principle is acceptable to the Hindu society. I can not say the Hindus of Ayodhya and Faizabad; are the followers of one Shankaracharya or different (many) Shankaracharyas. I am the follower of all the Shankaracharyas.

I had started the study of the Hindu religion from the age of 10 years. From the age of 10 years, I started to follow the customs and manners of Hindu religion. From the age of 12 years, I had started 'darshan' and worship, as per Hindu religion. I had started the process of worshipping after observing my father, mother and members of my

family. The process of worship which I had started at the age of 12 has improved but no diversion has taken place. By improvement, I mean to say that earlier without taking bath, I used to 'bestow Pranam', receive 'Prasad' but after that I used to worship with more purity and thereafter worshipped after reading the Mantras. At the age of 12, when my father had been worshipping, I also used to ring the bell in the Aarti, used to receive Prasad and offer pranam to Lord Rama. Now-a-days, I worship in the morning approximately for three hours and one hour in the evening. In the morning I worship from 5 AM to 8 AM and in the evening from 7.00 PM to 8.00 PM. The way I am worshipping presently is being done by me since 1988 i.e. after my retirement. From the year 1953 to 1988, i.e. during the period I was in service, I used to worship for shorter time and the time of worship was not fixed. During that period I was worshipping in the morning for half an hour definitely. I was of 20 years of age in the year 1953. From the age of 12 years till 1953 time of worship was - not fixed and during that period, sometimes I was worshipping for 5 minutes, sometimes for half an hour and sometimes for an hour. During those days, I was worshipping between 7.00 AM to 8.00 AM in the morning. Generally, I was doing this worship at my home. I was doing this worship alone and not with my father. When I was worshipping with my father then I was worshipping Lord Sri Ram and Shaligram ji. When I was worshipping alone even then I was worshipping these deities. The idol of Lord Rama and Shaligram were present at my house. Me and my father were worshipping the same idols. The other members of the family too were worshipping the same idols. Besides these two idols, there were no other idols in my house. The idols of Lord Rama and the Pot of Shaligram existed in my home even before my memory and they exist even today. 500 homes are there

in the village Bai Singh and there are 100 homes approximately in Pure Pahalwan. Bai Singh is a known village and Pure Pahalwan is its Purva'. Only four or five houses of Muslim barbers are there in the village Baisingh and remaining houses belong to the Hindus. There is also a temple in Baisingh. In that temple, the idols of Sri Rain and Hanuman ji are there and in the side of the temple, Shivala or Shiv is there. There is no Mosque is in Baisingh but there is a Mosque in the village Sirsinda, 2 kms away. As per my memory, there are four to five houses of Muslims and 200 houses of Hindus are there in the village Sirsinda. In Sirsinda, There is a small mosque, but I cannot say how old it is, but Muslims offer namaz there. I cannot say whether the Muslim barbers of my village go to offer namaz there or not. I have seen Muslims barbers of my village being encouraged by the namaz and on Id, they wear new clothes and go somewhere but I do not know where they go to offer Namaz. When I was living in the village, I used to go in the temple once in a month. When I used to go to my village Temple, I offered pranam to Lord Rama, Hanuman ji and Shankar Bhagwan and it took me nearly half an hour in these activities There was no temple between my home and Ayodhya where I went for worshipping There is no other big temple where I have ever gone. I did not receive my primary education in my village Baisingh, but in the school of Pura Bazar. That was the school of District Board. The other boys of my village were going to that school and my cousin was also teaching there. I had received education up to class four from that Primary School and from 5 to middle school education I studied at the Pure Middle School. I would have been of 15-16 years of age while passing the middle school. My date of birth is 4 of January 1930. In the year 1953 my age was 23 years. By mistake, I have stated it as 20 years. While appearing at the High

School Examination, I was 20 years of age. I was admitted in the Primary School at the age of six. Middle class meant class seventh at that time and that time I was 15 years old. My real brother was in service at Ayodhya and he was 13 years elder to me. His name was Ram Kewal Tewari and was posted as a constable. He could simply sign, he was not educated. When I was reading in the Primary School, he had joined the service at Raja Saheb of Ayodhya, a year or two later on.

For the first time, I had been to Ayodhya with him and at that time my age was 12 years. After returning from Ayodhya, I had started worshipping. At that time, I had been to Ayodhya with the intention to visit and the darshan. By that time, I had known that Ayodhya the town of Ram ji and Ram ji was born there. This I had known from my parents. By that time, I had learnt about Hanuman ji but till that time, I had not studied about Ram ji and Hanuman ji. Till that time, I had known that Lord Rama was considered to be the incarnation of Lord Vishnu. Hanuman ji was not incarnation of anyone but an incarnation of his own. By that time, I did not know whether Muslim people went to Mosque for offering 'Namaz'. Till that time, I had seen Muslim barbers of my village wearing new clothes and going somewhere to celebrate Id or to offer "Namaz". My brother was living in Raj Sadan and I had stayed with him. His wife was not living there, but she was living in the village. I had come alone with him and stayed there. I had come to Ayodhya from my village on foot. I had come during the summer vacations along with my brother. It was the month of June. Just the next day after coming to Ayodhya, I had been to Janam Bhoomi. When I had gone to Ayodhya for the first time, just the next day in the morning at 5.30 AM, I had left for river Saryu along with my brother. The distance

between Raj Sadan to Saryu was approximately one and half km. where I had gone for the bath. After taking bath, I went to Hanumangarhi. From there i.e. the Saryu where I had taken bath, Hanumangarhi was nearly at a distance of two kms. I had the darshan at Hanumangarhi for nearly half an hour. I had offered Prasad there and I too had taken "Prasad" also. 'Prasad was offered by my brother. From there, i.e. Hanumangarhi, I had gone to Kanak Bhawan, where I remained for 15 minutes. There I did not offer "Prasad" but offered Pranam and took the 'parikrama' and received "Prasad". From there, I went to a temple called Ratan Sinhasan.

Ratan Sinhasan Temple stands at a distance of 25 meters from Kanak Bhawan. We stayed at Ratan Sinhasan for nearly 10 minutes. There too we did not offer prasad, we had the darshan and took the Charnamrit. Idol of Shri Ram was also there. In Kanak Bhawan, there were the idols of Lord Sri Ram, Mother Sita, father, Lakshman and Urmila ji Kanak Bhawan where the idols of Lord Ram exist, no idol of Hanuman ji was there a small idol is there outside. There is a small platform in the courtyard, where a small temple-like structure made of iron is kept and Hanuman Ji is inside the structure. In Kanak Bhawan, where Lord Ram is existing there is a room. The length and width of the room would be approximately 40 X 30. In this room, where Lord Ram is existing, there is a door on the eastern side. There is a verandah outside the door, which is around 15 feet wide. The people have the darshan from the outside of this verandah. The 'Jagmohan' has been constructed from a very long distance from the verandah. The people have the darshan of this. The length of 'jagmohan' would be nearly 60-70 feet and the width would be 40 feet. There is a throne in the room where Lord Rama exists and four idols

are kept there separately. This throne would be 2.5 to 3.00 feet high from the ground. From inside the throne is made of wood or some other material, but the sheet of gold is pasted outside. This throne would be nearly eight feet long and five feet wide. The idols kept on it separately are of different sizes. The idol of Lord Rama would be nearly one and half feet high, whereas that of Sita Ji would be two to four centimeters smaller and the height of the idol of Laxman Ji would be one foot. The idol of Urmila Ji would be smaller than the idol of Laxman Ji by two to four centimeters. I do not remember if there was any light when, I had been to Kanak Bhawan for the first time during the year 1942, as I had gone there during the day time. The day's light was there. When I had gone there for the first time, it was only the day light besides the earthen lamp of ghee which usually burns at the idol of Lord Rama for all the 24 hours, was burning and there was no other light. I had seen the light of electricity after the year 1942, but after how many years, I do not remember. I do not remember as to when Ayodhya was electrified. I cannot say whether I had see electricity light in Ayodhya till the year 1949 or not. The witness was shown photograph No.57 of colour album document No. 200C-1 by the learned cross-examining advocate and was asked whether the throne shown in the photo resembled the throne of Kanak Bhawan or whether it was of the same length, width and height or not? After seeing the photos, the witness replied that the throne shown in the photo is not like that of Kanak Bhawan and its length, width and height are also not like that. In the same way, after seeing the photo Nos. 1 52, 153, 154 and 155 from the same album, the witness stated, "The throne shown in the photos is also different from the throne of Kanak Bhawan. After seeing the picture, it appears to me that the length, width and height of this throne is different

from the Kanak Bhawan. This photo is of Ramlalla which existed in the 'garbh griha' of Ram Janam Bhoomi. This photo is of post 1949 period. I had seen the places visible in these four photos from outside between the year 1949 to 1986 and from inside after the year 1986. The idols are clearly visible from the place at Kanak Bhawan from where I had the darshan while standing. The distance of the idols would be nearby 18-20 feet away from the point where I had the darshan. There would be two to three ventilators in the lower portions of the room of Kanak Bhawan where the idols were kept.

There is an idol of Hanuman Ji in the main temple of Hanuman Garhi and there is a small temple in front of it is, where the idols of Ram Darbar are kept and in the back, there is the idol of Devi Ji. I do not remember the Devi whose idol is there. At first, I had the darshan of Hanuman Ji, offered 'prasad', did the 'parikrama' and then had the darshan of Ram Chandra Ji, took the charnamrit and then had the darshan of Devi Ji. Prasad was offered to only Hanuman Ji. This 'Prasad' too was offered by my brother. The room, in which the idol of Hanuman Ji is kept, would be of 20X25 feet approximately. There are two doors in that room, one in the northern and the second in the southern side. One can have the 'darshan' by standing from the northern door only. Ventilator is also there in the room, where the idol of Hanuman Ji is there, but how many ventilators are there, I do not know. There is no window. At the time of darshan only the northern door remains open. The southern door is opened when priest has to go or some articles are to be carried in. The idol of Hanuman Ji would be at a distance of nearly 4 to 5 feet from the northern door. The idol of Hanuman Ji is kept on a 'chabootra' made on the ground. The 'chabootra' would be nearly one feet high.

This 'chabootra' would be nearly five feet long and five feet wide. The idol would be 4 feet six inches to five feet in height. The verandah is there from all the four sides of the room in which the idol is kept and one can have the darshan by standing from the verandah of the northern door. Here, there is no 'Jagmohan' outside the verandah. The verandah would be nearly 10 feet wide; I do not remember that in the year 1942, when, I had gone to Hanuman Garhi for the first time, the light of electricity was there or not. After that, I have seen the light of electricity but I do not remember as to when did I see the light. It appears to me that I had seen the light of electricity for the first time prior to the year 1949. The length and width of the small temple in this very premise about which I have stated earlier, in which the idol of Ram Darbar is kept are equal. The length and the width both would be around 10-11 feet. The idols of Ram Darbar are kept on the throne in this temple. I do not have an idea of the height, length and breadth of the throne. In this small temple, there is only one door, which stands at the east. Here, when the people come for the darshan, they come out from the same door. These idols are kept at a distance of 2-3 feet from the door. So far as I remember, idols of Ram Darbar comprise the idols of Ram Chandra Ji, Laxman Ji, Urmila Ji. What would be the height of these idols, I cannot say. These idols are made of asthadhatu. I will not be able to say that how much old these idols would be. I may not be able to tell. The temple of Hanuman Garhi where the idols of Devi Ji is kept, the length and width of that room I shall not be able to tell. The length and width of that room would be 10 feet or 20 feet. I shall not be able to tell the height of the idol from the ground. The wall on which the idol is made is not the outer wall of Hanuman Garhi, but it is a wall of a room. This wall stands at the southern side of main temple of Hanuman Ji. The door

stands on the northern side on which the idol of said Devi Ji stands. I have been performing 'darshan'- puja of this Devi Ji since the year 1942. I do not remember the last time when I had the 'darshan'- puja of Devi Ji. I do not remember when I had gone to Hanuman Garhi for the last time. I had been to Hanuman Garhi for the last time 20 to 25 days ago. On that day also, I had done the 'darshan' of Devi Ji. I have been doing 'darshan pooja of the above Devi Ji in Hanuman Garhi since the year 1942 till today. But I do not even today know the name of the Devi Ji, whose idol is there - I have not made any efforts also to find it out. This is not the idol of Kali and Durga Devi ji and not the idol of Laxmi and Parwati Ji. I cannot tell how much old this room would be. in which the idol is kept. I also cannot tell as to how old would be the building of Hanuman Garhi. I shall not be able to tell whether this building of Hanuman Garhi would be hundred and two hundred years old or many hundred years old, This building is not of the period of Lord Rama. I shall not be able to tell whether this building belongs to the period of Valmiki Ji or not. I have heard that this building existed during the period of Tulsi Das Ji. I shall not be able to tell whether the idol of Hanuman Ji in Hanuman Garhi is one hundred years or two hundred years old or it is two thousand years old. I have not read any description of Hanuman Garhi in Valmiki Ramayan nor I have heard of it anywhere else. I do not remember whether there is any description of Hanuman Garhi in the Ramcharitmanas written by Tulsi Das Ji. I do not have any important thing in my knowledge about Hanuman Garhi. I can not tell as to how many temples were there in Ayodhya in the year 1949 and whether Hanuman Garhi was the oldest among them. or not. I have heard the name of Vikramaditya. Samvat is known by the name of 'Vikram Samvat' but I cannot say whether it is related with the same

Vikramaditya or not. I have heard only of one king Vikramaditya. I do not know whether there is any belief among the Hindus that the Ayodhya was explored and settled by Vikramaditya. I also do not know whether there is any belief among Hindus whether the Ram Janam Bhoomi was explored by Vikramaditya or not. I do not know whether it is written in the case in which I have come as a witness that the temple of Ram Janam Bhoomi was constructed by the king Vikramaditya.

Question: Do you have the knowledge as to who had constructed the disputed three-domed building?

Answer: I do know that the three domed disputed building, which I call Ram Janam Bhoomi and some Muslims call it a mosque, belongs to the period of King Ishwaku. Again said "so far as I know king Ishwaku happened to be before Vikramaditya, and was the descendant of Ramchandra Ji. I cannot tell as to how many years ago king Ishwaku ruled. I may also not be able to tell how many years had he ruled before the Vikramaditya's period. I cannot tell whether his period was 10000 years ago or one lac year ago from today. I shall not be able to tell whether the disputed building was in the same condition till 1992 as it was constructed by King Ishwaku. I have never heard that some building was built over the disputed site during the period of Babar. I shall not be able to tell whether the outer northern-eastern wall of the disputed building, in which gates were provided, were of the time of King Ishwaku or of a later or earlier period. I cannot tell whether the Ram Chabootra was constructed in the, disputed

premises was of the period of King Ishwaku or of the later or earlier period. This too I shall not be able to tell that the place which has been said to be Sita Rasoi or Kaushalya Rasoi, whether that too belonged to the period of King Ishwaku or of the later or earlier period. This too I shall not be able to tell that the Sita Koop which stood outside the disputed building belongs to the period of King Ishwaku or of the earlier period.

Question: If I say that the three-domed disputed building was built during the period of Babar in the 16 century - will it be right or wrong?

Answer: I cannot say whether it is right or wrong.

Question: If I say that the Ram Chabootra and Sita Rasoi were constructed in the 19 century, will it be right or wrong?

Answer: This too I shall not be able to tell whether it will be wrong and right. But after thinking for long, he himself stated that it would be wrong.

Question: In your above statement, you have said that it was not possible to say that the Ram Chabootra and Sita Rasoi belonged to 19 century. This you had said of your own and later after, repetition of question and answer by advocate Ved Prakash, you said that it would be wrong?

Answer: This is not so, I have said it wrong out of my own consent and thought.

Question: If it is wrong to say that Ram Chabootra and Sita Rasoi were constructed in the 19th century, then tell what is correct?

Answer: They were not built in the 19 century, but before that when they were constructed I cannot tell.

Stove-grind stove/chulha and belna built in Sita Rasoi/ Kaushalya Rasoi belong to the post-Ram Chandra Ji period, but I cannot tell their precise time. This too I cannot say whether these were one hundred or two hundred year or ten thousand — twenty thousand years old. The footprints of all the four brothers are engraved on Sita Rasoi, but I cannot tell how old they are. These are not the original footprints of Ramji and his three brothers. I cannot tell whether the footprints are 100-200 years, 1000-2000 years, or ten thousand - twenty thousand years old. There are idols of Shiv Darbar in the eastern-southern corner of these premises, but I cannot tell how old they are - whether they are hundred-two hundred years, one thousand-two thousand years old or ten thousand-twenty thousand years old. So far as I know, among Kanak Bhawan, Hanuman Garhi and the disputed building is the oldest. I cannot tell how many years after the construction of the disputed building, Kanak Bhawan or Hanuman Garhi would have been built.

Me and also the Hindus believe that Ram Chandra Ji brought Sita ji in Kanak Bhawan after marrying her. Kanak Bhawan is a part of the palace of Raja Dashrath. I cannot tell whether it is the same Kanak Bhawan or the other. I believe that this is the same Kanak Bhawan, where Ram Chandra Ji had brought Sita ji after marriage. I do not remember whether there is any reference of Kanak Bhawan in the commentary of Valmiki Ramayan or not. I do not remember whether there is any description of Kanak Bhawan in Ramcharitmanas or not. I have never read in any of the books that Ram Chandra Ji had brought Sita Ji in

Kanak Bhawan after marriage. My faith is based on the speeches made by Sadhus and ascetics. I shall not be able to tell the names of sadhus and ascetics from whom I had heard this matter. This too, I cannot tell as to when I heard it for the first time. When I had been to Ayodhya, for the first time, I did not know whether this was the same Kanak Bhawan or place where Ram Chandra Ji had brought Sita Ji after marriage. This, too I do not remember after how much time I came to know of this fact. I had known this fact 50 years ago, i.e. sometime around 1952.

I had been to Ratan Sinhasan temple in the year 1942 and have been visiting it from time to time. The length and width of Ratan Sinhasan temple is not known to me. Ratan Sinhasan temple is smaller than Kanak Bhawan.

Question: Will its length, width would be 10-20 feet or not?

Answer: Its length and width would be more than 10 feet.

There are several rooms in it. The idols of whole Ram Darbar are available in the room in which the idol of Ram Chandra Ji is kept. On the other side, there is a door and from outside that door, the people have the darshan of Ram Darbar. Here also, there are four idols of Ram Darbar. These idols are kept on the throne but I may not be able to tell the length and breadth of the idols. I have been getting the darshan of these idols since the year 1942 till this day. I have never offered 'prasad' to these idols. These idols are made of 'ashtadhatu'. I cannot say how old these idols would be. This too, I cannot tell whether this temple is 100-200 years old or 1000-2000 years old or 10,000-20,000 years old. When I had been there in the year 1942, for the first

time, then first, I went for the darshan of these idols and later on went to Janam Bhoomi. That day, I did not go to Janamsthan temple. I had entered Ram Janam Bhoomi through the eastern gate and then went to Ram Chabootra. The idols of Ram Darbar were there along with the idol of Ramlalla. On Ram Chabootra, there were two idols of Ram Chandra Ji. There was another idol of Ramlalla and the second idol of Ram Chandra Ji in the Ram Darbar was separate. The idol of Ramlalla which was there was approximately 8-10 inches in height and it was in a kneeling posture. The width of that was approximately four five inches. I have been seeing the idol of that Ramlalla since 1942 to 1949, where after I did not see that idol there. After 1949, I had seen the idol of that type and size in 'garbh griha' of Ram Janam Bhoomi. I cannot say with certainty whether the idol of Ramlalla, which I had seen in the 'Garbh Griha' after 1949 was the same which I had seen at Ram Chabootra till 1949. After the year 1949, below the middle dome, besides that idol of Ramlalla, others idols were also kept. There were two more idols besides the idol of Ramlalla and they, were of mother Sita and Sri Ram. In the other idol of Ram Chandra Ji, Ram was having an arrow with him. I had seen all these three idols below the middle dome in the year 1950 from outside and in the year 1986 from inside. I do not remember the height of the idol of Ram having an arrow and that of Sita Ji. I do remember that its height was one feet or less or more. These two idols were also made of 'ashtadhatu'. I do not know

how old were the three idols. I cannot say whether these idols were of 100-200 years old or 1000-2000 years old or 10,000-20000 years old. I had never seen anywhere the idol of Rama having an arrow, which I had seen below the dome. Same was the position with regard to idol of Sita Ji.

Question: Were all the three idols kept in the night of 22/23 December 1949?

Answer: I heard on 23/24th December 1949 that Lord Ramlalla got incarnated in the dawn of 22/23 December 1949. But afterwards, I heard that the idol of Ramlalla kept in Ram Chabootra had been kept in 'Garbh Griha'. This idol had been kept in the 'Garbh Griha' in the same night of 22/23 December 1939.

I did not hear as to who had kept this idol there and how it was kept. I also did not hear as to how and when the idol of Ram having an arrow and the idol of Sita Ji were kept below the middle dome.

Statement read over and verified

Sd/-
Ram Surat Tewari
23.09.2002

Typed by the Stenographer in the open court on dictation by me. Witness will be present on 24.09.2002 for further examination in this case for cross examination.

Sd/-
(Narendra Prasad)
Commissioner
23.09.2002

Dated 24.09.2002

O.P.W.8 – Shri Ram Surat Tewari

Before the Commissioner Shri Narendra Prasad, Additional District Judge/Special Executive Officer, Hon'ble High Court, Lucknow Division Bench, Lucknow.

{Appointed vide order dated 13.09.2002 of the Hon full Bench in Other Original Suit No. 5/89 (Original Suit No. 236/89)}

(Cross-examination on oath of O.P.W. 7 - Shri Ram Surat Tewari by the learned Advocate Shri Zaffaryab Jilani on behalf of Defendant No.4 — Sunni Central Board of Wakf in continuation of the proceedings of 23.09.2002).

I cannot say when the idol of Ram with an arrow and the idol of Sita Ji were kept below the dome, whether it was before or after 1950. In the year 1986, when it was unlocked, I had gone inside and had seen the idol of Ram with arrow and the idol of Sita Ji. I went inside in the year 1986 when it was unlocked and then I had seen the Ramlalla along with the child image idol of four brothers kept at one place and by the side at a distance the idols of Ram Chandra Ji with arrow and of Sita Ji were kept separately on the throne. In the year 1986, there were two thrones, one throne was bigger on which the child image idols of the four brothers along with that of Ramlalla had been kept in the front and on the other small throne along side the idol of Ram Chandra Ji with arrow and the idol of Sita Ji were kept. The people used to offer prayers and have 'darshan' of all the idols kept on the two thrones, 'Prasad' was offered at only one place, i.e. at the idol of

Ramlalla. The witness was shown photograph No. 155 of colour album document No.200C-1 by the learned cross-examining advocate, on which, the witness stated, is the photo of that throne on which the idol of Ramlalla was kept. In this photo that throne is not visible on which the idol of Ram with arrow and the idol of Sita ji were kept." After seeing the photo Nos.152, 153 and 154 of the same album, the witness said, "In these photographs too, the other throne is not visible. In these photos, the throne is visible on which the idol of Ramlalla is kept. I had seen both these thrones some 12-13 years ago and because of that I cannot tell that in which direction the other throne was kept from the throne on which the idol of Ramlalla was kept, i.e. whether it was in the north, south, east or west direction. After seeing the photo No.153, the witness stated. "In this photograph, there is an umbrella above the throne. The umbrella is also visible. I have been to the domed building after it was unlocked and did not go earlier. It was unlocked on 2nd February 1986. After it was unlocked, I went there after four or five days for the first time. At that time, the throne visible in these photo Nos. 152, 153, 154 and 155, were on the same place as are visible in these photos." After seeing the photo Nos. 153 and 154, the witness stated, the framed photo of Ramlalla is appearing to be above the throne in centre. In these photos, the idol of Ramlalla kept on the throne, appears to be covered with flowers and garlands. Only the face is visible. The whole idol is not visible." After seeing the photo Nos. 152, 153 and 154, the witness stated, "The idols of three brothers of Ramlalla are not visible, which were kept behind the idol of Ramlalla. I do not remember whether the idols of three brothers of Ramlalla were visible at the time of offering prayers or not. The people were offering prayers to all but specially to Ramlalla. Volunteer: that the idols of three

brothers of Ramlalla were kept behind and they too were covered with flowers and garlands. I would have definitely gone to the place below the dome at least 20 times between 1986-1992. I had the darshan on the throne from the distance of 10 feet, which is visible in the above photographs. I had the darshan from the outside of the middle gate." Again stated that there were four pillars below the middle dome. From below these pillars or one and half step on the west, people used to have the darshan. The middle gate would have been 8-10 feet wide. The above said throne of the Ramlalla was kept slightly west from the centre of the dome. The witness was shown the photograph Nos.81, 82 from the black and white album document No.201C-1, on which, the witness stated, "These photographs are the photos of Ramlalla on the throne, which is clearly visible, but only the face is visible of the small idol, as it is covered with flowers and garlands and the remaining portion is not visible. It is wrong to say that in these photographs and in the above stated coloured photograph Nos. 152 to 155 in continuation of the coloured album, the idol of Ramlalla is not clearly visible. The throne, on which the idols of Ram with arrow and Sita Ji were kept, is not visible in photograph Nos.81 and 82. It is wrong to say that there was no other throne like this at that place, on which the idols of Ram with arrow and the idol of Sita Ji would have been kept. This will also be wrong to say that the throne which is visible in the above photographs was made or kept there after it was unlocked in 1986." The witness was shown the photograph No.154/13 submitted in main case No.1/89, on which, the witness stated, "In this photograph, three stairs are visible. No idol is visible on the stairs, but 'kalash' 'ghanti' and 'gedua' are visible. I have not seen idols kept on these stairs from the year 1949 to

1986. I did not go inside the domed building after the idols were kept in the year 1949.

Question: I mean to say that the idol of Ramlalla was kept on the stairs (which is called the member of the mosque) in the night of 22/23 December 1949, which is visible in photograph document No.154/13? Did you have the darshan of the idol kept on that place?

Answer: I did not have the darshan of the idol, which is alleged to have kept on these stairs in the dawn of 22/23 December 1949.

The idol of Ramlalla of which I had stated having the darshan from the year 1950 was kept in the center of the middle dome on a thing appearing to be like a throne. I used to have the darshan from a distance of 60 feet. i.e. from the outside of the wooden barrier. This idol being covered with the flowers and garlands was not clearly visible. When I had seen this idol for the first time in the year 1950, since then it remained covered with flowers and garlands. But the face was visible. The witness was shown photograph Nos. 83 and 84 from the black and white album by the learned cross-examining advocate, on which, the witness stated, "These photographs are of the floor of the middle dome." After seeing the photograph No. 23 from the same album, the witness stated, "This photograph belongs to the disputed building and is of the northern side thereof, but I cannot tell from which angle it has been photographed." After seeing the photograph Nos. 21 and 22 from the same album, the witness stated, "These photos belong to a part of the disputed building, which I cannot identify." In the same way, after seeing the photograph Nos. 25 and 26, the witness stated, "These photographs are also

of the disputed building and the photograph No.26 is of the eastern gate. But I cannot identify. The photograph No.25 is of which part of the disputed building, this too I cannot say. This is wrong to say that the photograph No.25 is not of any part of the disputed building. The photograph No.27 is also of some portion of the disputed building, which I cannot identify. After seeing the photograph No.28, the witness stated, "This photograph is also of some portion of the disputed building, but of which portion, I cannot say. I do not remember that the photograph No.28 is of the outer wall of the disputed building or not." After seeing the photograph Nos.19 and 20 from the same album, the witness stated, "These photographs are also of the disputed building. The photograph No. 20 is of the outer side of the northern gate of the disputed building and the photograph No.19 appears to be of the rear portion of the disputed building, but I cannot say this with certainty. During the years 1942 to 1992, I would have done the 'parikrama' from all the four sides of the disputed premises at least 100 or 50 times. I would have gone there for an equal number of times. After seeing the photograph Nos. 17 and 18 from album 201C-1, the witness stated, "These photographs are of the western wall of the disputed building." After seeing the photograph No.16 of the same album, the witness stated, "This photograph is also of a part of the disputed building which I cannot identify." After seeing the photograph No.12 of the same album, the witness stated "This photograph is of the northern portion of the disputed building" and after seeing the photograph No.11, the witness stated, "This photograph is of the disputed building, but I cannot identify." In the same way, after seeing the photograph No.4, the witness said, "This photograph is of the disputed building and this has been photographed from the southern side and two domes are

visible in it." After seeing the photograph Nos. 5 and 6 from the same album, the witness stated, "These photographs are also of the disputed building. The photographs also appear to have been taken from the southern angle. On the rear side there was 'parikrama marg' in the west and on its west agricultural land was there, which was 15-20 feet below the level of 'parikrama marg'. It is wrong to say that the thing, which I call 'parikrama marg' was the 'pushta' of the mosque. On the southern side of disputed building, some small piece of up-land was available, i.e. at the same level. Narad Chabootra and 'Sanak Sanandan' had been on this piece of land and there was a road on the south of this." Again he stated that whatever he had stated above was of the northern side of the disputed premises. On the south of the disputed premises, 'there was parikrama marg' and again on its south, the barren land on which the dilapidated samadhi of Angira Ji and Markandey Ji had been built. That was called by the people as the samadhi of Angira Ji and Markandey Ji. On its southern side, a small 'chaura' had been built. People called it by the name of 'Lomush Chaura'. 'Lomush Chaura' had been approximately at a distance of 50 feet from the southern wall of the disputed premises. It was of Chabootra type. 'Lomush Chaura' would have been one and a half feet in length and of the same width. The 'parikrama marg' on the south of the disputed building, about which I am mentioning also had the same width, i.e. 5-6 feet. This road was built of thick brick, which is called 'choka'. The 'parikrama marg' on the western side of the disputed premises was of the same width, i.e. 5-6 feet. The 'parikrama marg' of the western side was also built of wide brick, which is called 'choka.' The 'parikrama marg' of the northern side of the disputed premises was also similarly built, i.e. it was 5 to 6 feet in width and built of choka brick. The 'parikrama marg' of the

northern side of the disputed building was connecting the northern gate. Some barren land was lying on the northern side of that 'parikrama marg' on which places of Narad Chaura and Sanak Sanandan had been built. The witness was shown the photograph No.154/9, which was submitted in case No.1/89 and after seeing it, the witness stated, "In this photograph, the northern gate and northern road leading to the north of the disputed premises is visible. On the eastern side of this road, 6-7 stairs are visible, which lead to the northern road. I would not be able to say whether the width of the stairs and the road visible in this photograph is in any way less than 10 feet. In this photograph, the 'parikrama marg' is visible. This is the same 'parikrama marg' which has emerged from the northern gate. This road would be 5-6 feet wide as per my approximation. On the north of this road, some mound-like mud is made which is visible in this photograph, but I cannot identify the same I had not seen any grave on that place. There was Narad Chabootra and the 'samadhi' of Sanak Sanandan on east of the mound-like mud structure. In this photograph the Narad Chabootra and the 'samadhi' of Sanak Sanandan are not visible in the east of mound-like mud structure.

The height, length and width of Narad Chabootra would have been nearly one foot. The people used to offer flowers and money on it and the 'pandas' used to say that it was the place of Narad Ji. I had also offered flower etc. I have not read about this place of Narad Ji in any book; it is only the 'pandas' who have told me about it. I had a faith that this would have been the place of Narad Ji. Narad Ji was there before Lord Ram and he remained after also. It was my faith that Narad ji would be sitting, initiating, having the darshan of Janam Bhoomi while sitting on the

said chabootra. I am having this faith even today. This was also the faith among the whole Hindu community regarding that Narad Chabootra. Sanak Sanandan Ji was a saint. He was there before Ram and remained after him also. The place of Sanak Sanandan which existed in the north of the disputed premises was his 'samadhi'. This was my faith earlier and it remains today also. So far as we know, such was the perception of the whole Hindu community and it remains likewise today. The 'samadhi' of Sanak Sanandan Ji was built after Lord Ram disappeared. The Narad Chabootra and the 'samadhi' of Sanak Sanandan - these two places are worth-preying for the Hindu community. The persons who come to have darshan of Ram Chabootra, they must offer flowers and garlands on these two places and get the darshan. 'Pandas' were living there, but they were not giving prasad. So far as the three-domed building is concerned, I had a faith which I maintain even today that it was the Janam Bhoomi of Ram Ji. I also believe that below the middle of the three-domed building, Ram Ji was born. Lord Ram was born in that part of the building of King Dashrath, where Kaushalya Ji was living. Ram Ji was born in that part of the building of King Dashrath which was maternity home. This was not the part of the living room of Kaushalya Ji. And this was the part of the palace. All children were born in the palace of King Dashrath in the same maternity home. All the brothers of Ram Chandra Ji, Laxman Ji, Bharat ji etc. were born in the same maternity home. Maternity home means maternity palace, which comprises several rooms. I do not remember if there is any mention that the age of King Dashrath was more than sixty thousand years. I do not know the total age of King Dashrath, i.e. for how many years he lived. Even I do not remember for how many years Ram Chandra Ji lived. Neither I have read nor I have heard as to for how many

years Ram Chandra Ji or his brothers and members of his family lived. Naradji was there in Dwapar, in Treta and there is a gap of lacs of years in between the two. I cannot tell for how many years did Naradji live. He would have lived a life of more than a lac years and not lesser than that. I cannot tell whether the age of Rishi Sanak Sanandan was equal to that of Narad or lesser or more than him. There has been a mention of Naradji in Ramayan and Ramcharitmanas, whereas the name of Rishi Sanak Sanandan ii does find a mention in Ramcharitmanas, it is there in Geeta only. The place of initiation by Sanak Sanandan Ji was not the 'samadhi' located in the north of the disputed site, it is somewhere else about which I don't have any knowledge. The place of initiation by Naradji during the days of Ram Chandra Ji was the 'Narad chabootra' in the north of the disputed site, as told by me. The 'Narad chabootra' was a part of the palace of Dashrath but it did not fall under the palace of Kaushalya Ji. Before becoming the 'samadhi' of Sanak Sanandan Ji, that site was not a part of the palace of Raja Dashrath, it was a vacant piece of land. I cannot tell whether at that point of time, the palace of Raja Dashrath had fallen or not, but it was a vacant land and a 'samadhi' was built on a vacant land only. I do not know how long after the disappearance of Ram Chandra Ji, did Sanak Sanandan meet his death. There would be a difference of two feet in between the 'samadhi' of Sanak Sanandan and chabootra of Naradji. The place where the 'samadhi' of Sanak Sanandan Ji was situated was a part of the palace of Raja Dashrath earlier. The length and breadth of the palace of Raja Dashrath would be around 500 meters each. The complex included the palaces of their queens and sons. The entire disputed site was a part of the palace and the entire space from the disputed site to Kanak Bhawan was a part of the palace.

The portion of the 'samadhi' of Sanak Sanandan Ji also falls within it. I cannot tell how long after the disappearance of Lord Rama, the 'samadhi' of Sanak Sanandan Ji was built, I also cannot tell whether it was after 100-200 years or 1000-2000 years or 1000-2000 lac years after the disappearance of Lord Rama that this 'samadhi' was built. It is possible that this palace might be existing at the time of the construction of the 'samadhi' which would have been constructed on the vacant land. There were gates on all the four sides of the palace of Raja Dashrath, but I may not be able to tell the actual position of the gates. I also cannot tell the distance in between the western, northern, southern gates of the palace of Raja Dashrath and the disputed site. I cannot tell whether the disputed building was having a similar look as it had till 1992 or it was different. I believe that in the days of Raja Dashrath, the disputed building would have had an entirely different look and so is the faith of the entire Hindu community. I believe that during the days of Raja Dashrath, there would not have been a 'Ram Chabootra' in the palace of Raja Dashrath and also the 'Sita Rasoi' and 'Kaushalya Rasoi' would have been different from what they look today.

Question: Since you believe that there would have been a 'prasuti grah/prasuti mahal' at the place of the middle dome, do you believe that the 'Sita Rasoi/Kaushalya Rasoi' were also at the same place or at some different place?

Answer: I believe they would have been at this place only.

I cannot conjecture as to what would have been the area of the 'prasuti grah/prasuti mahal' at that time. I cannot tell as to how many rooms would have been there in the 'prasuti mahal', and similarly, I cannot tell about the size of the rooms. Possibly, their length and breadth would have been 20 feet each. I cannot tell whether 5-6 rooms of

this type were there in 'prasuti mahal or not. I cannot tell confidently whether the northern part of the 'prasuti mahal' terminates after 'Sita Rasoi'. The place about which I have told that it would have been 'Sita Rasoi' till 1992, could also be a part of the 'prasuti mahal'. The place of 'Sita Rasoi' would not have been a part of the palace of Kaushalya. The witness was shown photograph Nos. 70. 71. 72 of coloured album 200C-1 by the learned cross-examining advocate, on which, the witness stated, "The place visible in these photographs is what I have termed as 'Sita Rasoi' or 'Kaushalya Rasoi'. In these photographs. I find an 8, 10 inches high platform built and a throne like structure is placed on it, the same platform has been called 'Sita Rasoi' and 'Kaushalya Rasoi'. All along the place has been identified as 'Kaushalya Rasoi' and 'Sita Rasoi, some called it 'Sita Rasoi', whereas others called it 'Kaushalya Rasoi'. The Rasoi pertains to the name of same Kaushalya, who was the mother of Ram Chandra Ji. I believe that the 'Rasoi' used by Kaushalya would have been used by Sita Ji. later on. I believe that the 'Rasoi of Kaushalya Ji' during the days of the palace of Dashrath would have been bigger than the platform visible in photograph Nos.70, 71, 72. The 'Rasoi' during the days of Sita Ji would have been bigger than the Rasoi visible in these photographs. We have not found mention of palace of Dashrath, palace of Kaushalya, 'Kaushalya Rasoi' and 'prasuti grah' in any religious book. There has not been any mention of them in Ramcharitmanas and Valmiki Ramayan. My faith is based on what has been stated by the ascetics and people of Hindu community. I have heard speeches of Prabhudutt Brahamchari, Mahant Avidyanath and Hon'ble Vamdev Ji and Swami Permanand Ji, who have mentioned about all the five buildings in their speeches. None of them has stated anything about the area of the above palaces or

buildings. They have also not stated anything about the location of these palaces or buildings. During their speeches, they had told that the above palaces and buildings were located at the place where they were existing during the days of Raja Dashrath. I do not remember whether all the above four persons or any two or any one of them has stated the above facts: I also do not remember the name of the one who has told about it. They had told that the position of Dashrath Mahal today is the same as was during the days of Raja Dashrath. The Mahant of Dashrath mahal also states that it was the residence of Dashrath Ji. The existing building of Dashrath Mahal does not pertain to that period, i.e. the period of Raja Dashrath, but the place of course is the same. I do not know when and who built the existing 'Dashrath Mahal. I believe the existing Dashrath Mahal would have been built thousands of years ago. 'Kaushalya Bhawan' is present even today. The 'Kaushalya Bhawan' is on the west of "Dashrath Mahal and in the east of disputed building. Distance between the eastern gate of the disputed building, which I have called 'Hanumat Dwar' and the 'Kaushalya Bhawan' would be around 50 meters. I may not be able to tell the area of the existing 'Kaushalya Bhawan'. The present 'Kaushalya Bhawan' is in the shape of a temple. I do not know who is the mahant of that temple because I have never entered it. I have only prostrated myself at the outside. The gate of 'Kaushalya Bhawan' would be 10, 12 feet high and 5-6 feet wide. There are rooms in the Bhawan, but I cannot tell about their number. The gate of 'Kaushalya Bhawan' is towards the south on the road leading to 'dorahi kuan' from Hanuman Garhi. The height of the walls on both the sides of the gate of 'Kaushalya Bhawan' would be slightly more than 10-15 feet. I may not be able to tell whether there is an idol of Kaushalya Ji or idols of other Gods also in the

Bhawan because I have prostrated myself on the outside only. Palaces with the names of queens/kings other than Dashrath Ji, Kaushalya ji are also available like Sumitra Bhawan by the name of Sumitra. This Bhawan is no more there. There used to be such a Bhawan earlier. There is no building by the name of Kaikeyi. There is a 'kop Bhawan' by the name of Kaikeyi but the name of 'kop Bhawan' is not Kaikeyi Bhawan. I believe that 'kop Bhawan' only would have been the residence of Kaikeyi. Similarly, I believe that Sumitra Bhawan which was situated in Ayodhya earlier, would have been the residence of Sumitra Ji. The Sumitra Bhawan was a part of the palace of Raja Dashrath. I had seen Sumitra Bhawan from a distance and as far as I remember. I had seen it for the last time in the year 1951 or 1952. There were many rooms in it besides a gate which would have been 8 feet high and 5, 6 feet wide. As far as I remember, there was only one gate in Sumitra Bhawan. The main gate of Sumitra Bhawan was towards north. Sumitra Bhawan was located at a distance of 70-75 feet from 'Sita Koop'. Sumitra Bhawan fell slightly away from the south western corner of 'Sita Koop' and on the east southern corner of the disputed building. Distance between the disputed building and Sumitra Bhawan would be around 140-145 feet. It is not that it was a small place having an area of 10X10 or 10X15 feet. I have heard that an idol of Laxman ji was there in Sumitra Bhawan and people used to go into Sumitra Bhawan for having a glimpse of Laxman ji.

Statement read over and verified

Sd/-
Ram Surat Tewari
24.09.2002

Typed by the Stenographer in the open court on dictation by me. Present yourself on 25.09.2002 for further examination in this case.

sd/-(Narendra Prasad)
Commissioner
24.09.2002

Dated 25.09.2002

O.P.W. 7 - Shri Ram Surat Tewari

Before the Commissioner Shri Narendra Prasad, Additional District Judge/Officer on Special Duty, Hon'ble High Court, Lucknow Division Bench, Lucknow.

{Appointed vide order dated 13.09.2002 of the Hon'ble full Bench in Other Original Suit No. 5/89 (Original Suit No. 236189)}.

(Cross-examination on oath of O.P.W.7 - Shri Ram Surat Tewari by the learned Advocate Shri Zaffaryab Jilani on behalf of Sunni Central Board of Wakf, Defendant No.4 in continuation of the proceedings of 24.09.2002).

I did not enter Sumitra Bhawan, but it looked fairly big from outside comprising of many rooms. I cannot tell whether there was an idol of Sumitra Ji in the Bhawan or not. Similarly, I cannot tell whether there was an idol of Ram Chandra Ji in the Bhawan or not. In this connection, I believe that this Sumitra Bhawan was also inside the real palace of Raja Dashrath. During the days of Raja Dashrath, his palace terminated with the Sumitra Bhawan. There was no other building in this palace in the south or west of Sumitra Bhawan and, therefore, I can say that during the days of Dashrath, his palace ended at Sumitra Bhawan. There are some building present today in the east-north of Sumitra Bhawan by the names of their families, which indicates that during the days of Dashrath, his palace extended till this Bhawan. I do not know whether Sumitra Bhawan had been demolished during the process of levelling in the year 1992. I also do not know as to when did Sumitra Bhawan fall. I have not heard anything to

establish whether Sumitra Bhawan fell of its own or it was demolished by someone. While going to 'Sita Koop' from the disputed building, one must have come across the building constructed in the place of Sumitra Bhawan. I do not remember whether I had ever gone to 'Sita Koop' from the disputed building after 1951-52. During 1951-52 and 1992, I used to visit the disputed building four-six times during a year. I do not remember whether I had ever been to 'Sita Koop' during these forty years. 'Lomush Chaura' is on the west-north of Sumitra Bhawan and the distance in between 'Lomush Chaura' and Sumitra Bhawan would be 40-45 feet. I had never visited 'Lomush Chaura' after 1950. There is a religious importance of 'Lomush Chaura' but I had not come across any such mention in Ramayan or Ramcharitmanas. I have seen very few people going there. People believe and also say that the place of 'Lomush Chaura' is the one where Lomush Rishi used to deliver lectures on his visit to Ayodhya. People believe that Lomush Rishi was there even before the period of Ram Chandra Ji and also during his days. I do not know when did Lomush Rishi meet his death. I also do not know whether 'Lomush Chaura' was a part of the palace of Raja Dashrath or not. I have neither read in any religious book nor heard it from any ascetic, mahant that 'Lomush Chaura' was a part of the palace of Raja Dashrath. As far as I remember, I had visited 'Lomush Chaura' for the last time in 1950-51 and its length, breadth and height would have been 1.5X1.5X1.5 feet (approximately). Angira Ji and Markandey Ji were also ascetics and it is understood that they belonged to a period prior to Ram Chandra Ji. They were also present during the time of Ram Chandra Ji. I do not know when did both these ascetics meet their death. I do not know whether they died during the time of Ram Chandra Ji or not. I do not know whether the 'samadhi' of

Angira Ji and Markandey Ji had ever been a part of the palace of Raja Dashrath or not. The age of both these ascetics would have been in lacs of years as was the case with Narad ji. Both these ascetics were contemporaries of Narad ii. I have already stated that Naradji used to look at Ram Janam Bhoomi by sitting at 'Narad chabootra'. By this statement I mean that Narad ji used to sit there and look at the 'prasuti mahal', where Ram Ji was born because the place was very pious. People also believe that Lomush Rishi also used to sit at 'Lomush Chaura' and look at 'prasuti mahal', i.e. the birth place of Ram Chandra Ji. The people doing Parikrama and who had also heard about the 'samadhi of both the ascetics, that is Angira Ji and Markandey Ji used to offer flowers etc. on the 'samadhi'. All the visitors did not go there. 'Kuber Tila' fell on the south-west of the 'samadhis' of both these ascetics and the disputed building fell on the north of these 'samadhis'. I do not know whether there was any place in the west of the disputed building and in the west of the 'samadhis' of both these ascetics, which was of any religious importance and having any relationship with the days of Ram Chandra Ji. On this, the witness was shown page 74-75 of Chapter 20 of Valmiki Ramayan - document No.261C-1 by the learned cross-examining advocate, on which, the witness stated that the Hindi translation of the 10th shlok states that "Kusiknandan please take" and I fully agree with it and it also clarifies and proves that the age of Dashrath Ji would have been more than 60,000 years. Hindi translation of shlok No.2 of the same chapter of page 74 of Ramayan was read over to the witness, which proves that the age of Ram Chandra Ji at that time would have been 16 years. I do not know for how many total years did Ram Chandra live.

Besides Valmiki Ramayan and Ramcharitmanas of Tulsi, there are other Ramayans also, which have a religious importance and the Hindu community recognises them. I am not aware of their number and names. I do not know whether there is any religious book besides these Ramayans which contain description of the life of Ram Chandra Ji and his family and which is taken as authentic by the Hindu community and Hindu people. I understand that there are books containing details of the places visited by Ram Chandra Ji and the places with which he had an attachment, but I do not remember the names of such books. Lord Vishnu had predicted even before the birth of Lord Rama that he would incarnate as the son of Dashrath with the name of Ram. Details of it would be available in Ramayan. It finds a mention in Valmiki Ramayan as well as Ramcharitmanas of Tulsi. I have read this thing in Ramayan of Tulsi and on going through Ramayan, I can locate these details, but I will have to search the details in Ramayan and then only I would be able to tell. Raja Dashrath had inkling that Lord Vishnu would take birth as his son by the name of 'Ram', a fact which was also known to Narad Muni. Name-giving function was organised after a few months of the birth of Ram Chandra Ji when he was named as 'Ram'. During the intervening period, i.e. from the time of his birth till the name-giving ceremony, he was not called by the name of 'Ram'. The same procedure was adopted in the matter of his brothers, i.e. Bharat, Laxman and Shatrughan because the name-giving ceremony of all the four brothers was held simultaneously. I do not know whether Lord Ram had appeared at any place anywhere between his birth as a son of Raja Dashrath and his appearance on the night of 22-23rd December 1949 at the disputed site. People believe and are confident that Ram Chandra Ji was born as a son of Raja Dashrath and had appeared on the night of

22-23rd December 1949. Evidence of his taking birth as the son of Raja Dashrath is available in books and scriptures. There is a faith and evidence of appearance of Lord Rama at the disputed site on 22-23rd December 1949, but there is no book or scripture in support thereof.

Question: According to your statement, Ram Chandra Ji was born lacs of years ago and there was no history or books available at that time. Should I take it that your faith and belief are not based on any evidence?

(On this point, Shri Ved Prakash, the learned counsel of the plaintiffs objected that the question placed before the witness is not related to any point (the suit and also that the witness is neither a historian nor a religious personality and it is on the basis of his belief, faith and facts that he has stated that the disputed site was a temple. As such, permission should not be granted to ask such questions.)

Answer: Books and scriptures of that time are available even today.

Question: Tell me the name of any book written during the time of Ram Chandra or just after his period?

Answer: Valmiki belonged to his period and Valmiki Ramayan was written by him during that period only.

I do not know whether during those days, Valmiki Ramayan was written on paper, cloth or an other material. Neither I have seen nor I have heard and I also do not know whether Valmiki Ramayan was written by Valmiki manually or the Ramayan written his days was dictated by

him to someone and whether such a Ramayan is available in the world or not. I have heard that it is mentioned somewhere that during the days of Ram Chandra Ji, writing was done on 'Bhoj patra', but I have not come across any such mention in any book. I do not know nor I have heard whether there is any place in Ayodhya, where any material written on 'Bhoj patra' pertaining to the time of Ram Chandra Ji is available.

From 1942 till 1953, i.e. the time during that I was not appointed as an Lekhpal, I used to go to Ayodhya on every Tuesday. When I was a student of 6th, 7th and 8th Class, I used to go to have a 'darshan' if there was no problem. I used to go to Ayodhya on foot but if some cyclist came across, I would take a lift from him. On Tuesdays, if I returned in time, I went to the school and if I was late, I would miss the school. During summer, i.e. during April and May, my school opened at 7.00 AM whereas it opened at 10.00 AM during the remaining days. During those days, it was not that all the schools of Zila Parishad opened at 7.00 AM from April till October and at 10.00 AM from October till March. During those days, whenever I missed the school because of going to Ayodhya, the teacher would not punish me because he knew that I went to Ayodhya for having a 'darshan'. I had passed 7th Class in 1945 after which I took admission to special class in July 1945; the special class was equal to 6th class, where English was also taught. Special class was meant for those who passed 7th with Urdu and Hindi. I passed the special class, i.e. the 6th class in 1946 and passed 7th class for the second time in the year 1947. I passed eighth class in the year 1948. I had passed the special class by staying at Regional Boarding House, Faizabad and studying at Manohar Lal Moti Lal Inter College, Faizabad. I passed my 9th class in 1949 from the

same school. I appeared for High School examination from the same institute in 1950, but failed. I did not re-appear for High School. I left the Regional Boarding House in 1950 and went to my village. I have stated in para 4 on page 2 of my sworn statement that thereafter I used to go to Ayodhya 4-5 times in a year - this statement is also true. If my statement that I used to visit Ayodhya on every Tuesday is taken as correct, I must have visited Ayodhya at least 50 times during the year. If my statement in the affidavit that I used to go to Ayodhya 4-5 times in a year is taken as correct, I used to visit Ayodhya 4-5 times in year.

Question: You have just now stated that your statement in para 4 of your affidavit to the effect that you used to visit Ayodhya 4-5 times, is correct and also your today's statement of your visiting Ayodhya every Tuesday is also correct - how could both these statements be correct?

Answer: My statement of visiting Ayodhya 4-5 times relates to my visits during functions and festivals and my visit to Ayodhya on every Tuesday has been a matter of routine.

Question: You have made no mention of functions and festivals in para 4 of the affidavit, you have simply stated about your visits to Ayodhya and as such, how can you say that your statement in para 4 is restricted to only functions and festivals?

Answer: In the same para of my affidavit, I have stated that I used to go during functions like Ram Navmi, Sawan Jhula, Kartik Purnima, Parikrama Mela, Ram Vivah etc. and during vacations.

Question: Why have you not mentioned in your affidavit about your visiting Ayodhya every Tuesday?

Answer: I did not think it necessary to mention it and that is why I did not mention it in my affidavit.

This is wrong to say that I had never visited the disputed site till the year 1950 and this is also wrong to say that it was during my deposition that I felt that it was necessary to mention about my visit to Ayodhya on every 4th Tuesday that I made such a statement.

When I went to Ayodhya for the first time in 1942, I had stayed there for 15 days with my brother and during those days, I did not go to have a 'darshan' of 'Ram Chabootra' daily. I do not remember on how many days and for how many times did I go to have a 'darshan' of 'Ram Chabootra' during those 15 days. Possibly, I would have gone to have a darshan of Ram Chabootra' once or twice and even 5-6 times during that period. When I went to see 'Ram Chabootra' for the first time in 1942, I had met a priest there. There was no separate priest for Sita Rasoi, the same priest looked after Sita Rasoi also. I had visited 'Ram Chabootra' at around 7.30 AM for the first time. Nearly 40-50 visitors were present there at that time. I stayed there for about an hour. Later on, he stated that he had 'darshan' of 'Ram Chabootra' for 15-20 minutes and then did 'Parikrama'. He had done the Parikrama of 'Ram Chabootra'. After offering and taking 'Prasad', he again did 'Parikrama' of 'Ram Chabootra'. He then stated, "I went to Sita Rasoi after staying for 15-20 minutes at 'Ram Chabootra'. I stayed at Sita Rasoi for about 15-20 minutes. There I and my brother did not offer 'Prasad', we only offered flowers. When I went to Sita Rasoi, no priest was available there. Prasad and flowers offered by others were

lying there. I stayed there for a maximum of five minutes from where we headed towards the eastern gate. Before reaching the eastern gate, my brother from outside the wall fitted with iron bars offered flowers at the building with three domes and gave it to me also which I also offered. I offered the flowers through the iron bars from outside only. At the time when I offered flowers, prasad and money offered by others were also lying there. I prostrated myself on the ground below the dome from outside only. I had asked my brother why was he offering flowers at that place, on which, he told that Lord Rama was born at the place under the middle dome of this building. The place which I had visited was the one below the middle dome. I had visited only the above place from outside the lattice wall of the three domed building and had offered my regards and did not witness anything." The witness was shown photograph No.35 of black-white album document No.201C-1, on which, he stated, "The wall visible in this photograph appears to be the same lattice wall outside which had visited the place. Two gates were fitted in this lattice wall - one on the eastern side and the second on the northern side of the same gate. Five windows are visible in photograph No.35. By looking at this photograph, I cannot identify the window through which I had offered flowers." The witness was shown photograph No.107 of the same album by the learned cross-examining advocate, on which, the witness stated, "This appears to be the middle gate of the lattice wall. I did not offer the flower through any window, but had thrown it from above the wall, which was around 4 feet high." On looking at the above photograph no.35, the witness stated, "It is not the wall from where I had offered flowers below the middle dome." On looking at photograph No.37 of the same album, the witness stated, "The wall visible in this photograph does not appear to be

the lattice wall from where I had offered flowers at the place below the middle dome. On looking at photograph No.38, the witness stated that the wall visible in this photograph appears to be the same lattice wall through which I had offered the flowers. The height of the lattice wall in this photograph appears to be 8-10 feet. In this photograph, the height of the wall where the iron bars are fitted from the ground should be 4-5 feet." Later on, he stated that from the point where the iron bars started, the level of the ground should be around 2.00-2.50 feet. The height of the iron bars should be 4-5 feet. In photograph No.38, a wall has been built on the bars, it would be at a height of 1.00-1.50 feet from the bar. The wall visible in photograph No.38 appears to be of the eastern side of the domed building. On looking at photograph Nos. 35 and 37 of the same album, the witness stated, "I cannot tell whether the wall of the three domed building is in the east or north of the building, but it is definitely of the same building." The witness was shown photograph No.54 of the album, on which, the witness stated, "A board is visible in this photograph and a constable is also standing close to the board and the lattice wall behind him is that of the disputed building. I may not be able to tell whether this wall is in the east or the north of the building." On looking at photograph No. 107 of the same album, the witness stated, "It is a photograph of the eastern side of the three domed building and is adjacent to the lattice wall. I am finding one gate in the photograph, which appears to be the gate fork entering the domed structure. It is not visible in this photograph whether the gate is locked or not but a bar is fitted therein. When I had visited this place in 1942, the gate was locked and gates were built below the domes; the gates were opened and no curtains etc. were fitted." The witness was shown photograph Nos.63, 64, 65 and 66 of

colour album document No.200C-1 by the learned cross-examining advocate, on which, the witness stated, "These are the photographs of the disputed building and all the four photographs appeared to be of the same lattice wall, but I may not be able to tell from which angle and from which side these photographs have been taken. I may also not be able to tell to which side, i.e. east, north or south of the three domed building, the lattice wall visible in all the four photographs belongs to." Later on, he stated that the lattice wall visible in photograph No.63 appeared to be of the eastern side of the three-domed building. On having a look at photograph No.62 of the album, the witness stated, "It appears to be a photograph of the southern portion of the disputed building. The front wall visible in this photograph is in the south of the disputed building and the wall visible in the right side thereof and wherein something like a window is also visible, is also of the same portion, but I may not be able to tell about its direction. The thatched roof visible in photograph No.66 is close to the eastern wall. Later on, he stated that it was probably a photograph of the thatched roof adjacent to the 'Ram Chabootra'. He added, "I may not be able to tell as to how many times I would have seen the thatched roof visible in the photograph in the disputed building, I would have surely seen it once or twice. I do not remember if I had seen the thatched roof for the last time 20 years ago." Later on, he stated that he had seen it within 20 years. He added, "I may not be able to tell how many days prior to the demolition of the disputed building I had seen it. I had seen this thatched roof for the last time 10 years before the demolition of the disputed building" The witness was shown photograph Nos.56 and 57 of the same album, on which, he stated, "Both the photographs are of the same thatched roof. I had seen this thatched roof some 14-15 years ago

for the last time, i.e. sometime during 1988. I must have seen the thatched roof visible in photograph Nos. 56 and 57 at least 10- 20 times. I may not be able to tell when did I see the thatched roof for the first time. I would have seen the thatched roof visible in photograph Nos.56 and 57 for the first time some 20-25 years ago. I do not remember whether any thatched roof was laid on this Chabootra in 1942 when I had visited the site for the first time. The Chabootra visible under the thatched roof is the same Chabootra which I call Ram Chabootra. I do not remember if a thatched roof was there on this Chabootra in the year 1950. When I visited in 1986, a thatched roof was there on this Chabootra. I had visited this Chabootra hundreds of times during 1950 to 1986. When I went there in 1986 and saw the thatched roof, I could not guess about the timing of thatched roof.' The witness was shown photograph No.66 of the same album, on which, he stated, 'I would have seen the thatched roof on the Chabootra visible in the photograph for the first time in 1985-86. The thatched roof on the Chabootra visible in photograph No.66 appears to be the same thatched roof that is visible in photograph Nos.56 and 57.' On looking at photograph No.57, the witness stated, "The thatched roof visible in the photograph appears to be 2-4 years old. In photograph No.66, a donation box is visible before the Chabootra. The donation box was made of tin and that is how it is visible. From looking at the photograph, it appears something has been written on the tin in black ink on a white surface. I do not remember if I had seen this donation box at the site or not. A stone lying on both the sides of the donation box is visible in the photograph; I also find some scratches on the stones. I do not remember whether this stone was fixed here or not, when I had visited the site earlier. This is wrong to say that I am making a false statement at this

point. This is also wrong to say that I have visited the site very few times and hence am not in a position to tell the truth."

Prior to 1986, locks were put on both the gates of the lattice wall. The witness was shown photograph No.77 of the colour album, on which, he stated, "This is the photograph of the same lattice wall about which I have mentioned above. A gate is visible in the photograph. This gate was in the east of the domed building" In my statement on page 71 about the gate of the lattice wall, I have stated that "from photograph No.107..... it appears to be in the middle gate" - it is the same gate, which is visible in photograph No.77." On looking at photograph No.75 of the album, the witness stated, "In this photograph also, I find the gate close to the tree. This gate and the gate visible in photograph No.77 appear to be the same, but I may not be able to tell from which side this photograph has been taken." The witness was shown photograph No.76, on which, he stated. "Small gate close to tree visible in this photograph appears to be the same, as is visible in photograph No.77. The gate in the lattice wall visible in photograph Nos. 75, 76 and 77 was in the east of the domed building." The witness was shown photograph No.78 of the same album, on which, he stated, "Yet another gate is visible in this photograph, which appears to be that of the outside wall, which I have identified as 'Hanumat Dwar'." Looking at photograph No.74 of the same album, the witness stated, "This is again the photograph of a gate of the disputed building and it is a gate of the outside wall." The witness was shown photograph No.73 of the same album, on which, he stated, "A thatched roof like thing is visible in this photograph. It is a photograph of the disputed building, but I may not be able to identify the portion of the

disputed building visible in this photograph. The thatched roof in this photograph could be a tin shed also. It could be possible that photograph No.73 would have been taken from the west side from behind the Sita Rasoi." The witness was shown photographs No.68, 71, 72 of the same album, on which, he stated, "I am finding words written in black on white stones. I do not remember whether I had seen these stones at the site before 1949 or not. I also do not know whether I had seen these stones in 1986 or even thereafter. I have been to Sita Rasoi visible in photograph Nos. 71, 72 for a maximum of ten minutes at one stretch. I must have seen these stones, but I do not remember because my attention was glued to cooking area, a rolling pin and footprints. A hearth is clearly visible in both these photographs and I used to have 'darshan' and worship the hearth also along with these items. This hearth does not belong to the period of Sita Ji, but people believe that Sita Rasoi and Kaushalya Rasoi would have been here only. People also believe that the hearth would have been of the same type as is visible in the photographs." The witness was shown photograph No.84 of the same album, on which, he stated, "In this photograph, a gate is visible, on which a curtain is fixed. I had seen this curtain in the year 1986. I do not remember whether the curtain was there even before 1986 or not. I cannot tell the point of time during 1950 to 1986 when the curtain was fixed. The gate visible in this photograph appears to be the gate of the middle dome." The witness was shown photograph Nos. 85 and 86 of the same album, on which, he stated, "In these photographs, independent gates are visible below the domes. The gate visible in photograph No.85 appears to be the gate below the middle dome. The gate visible in photograph No.86 appears to be the gate of the northern dome. I cannot tell as to when were the curtains fitted on the doors visible in

these photographs, but I had seen them in the year 1986. I may not be able to tell as to when they were fitted during 1950 to 1986. I cannot tell whether these curtains or curtains like them were fitted on these gates during 1942 to 1950. During 1986 to 1992, I had visited only upto the place below the middle dome and had not been to the land lying in the north-south of the building. I used to go from the front, have 'darshan' and return." Photograph No.80 of the same album was shown to the witness, on which, he stated, "This is again a photograph of the disputed building, a photograph of its eastern portion. It appears to be a photograph of the front portion of the domed building and it looks as if it has been taken from the side of the domed building. No portion of the domed building is visible in the photograph.

Statement read over and verified

Sd/-

Ram Surat Tiwari

25.09.2002

Typed by the Stenographer in the open court on dictation by me. Present yourself on 26.09.2002 for further examination in this case.

Sd/-

(Narendra Prasad)

Commissioner

25.09.2002

Dated 26.09.2002

O.P.W. 7- Shri Ram Surat Tewari

Before the Commissioner Shri Narendra Prasad, Additional District Judge/Officer on Special Duty, Hon'ble High Court, Lucknow Division Bench, Lucknow.

{Appointed vide order dated 13.09.2002 of the Hon'ble full Bench in Other Original Suit No. 5/89 (Original Suit No. 236/89)}.

(Cross-examination on oath of O.P.W.7 - Shri Ram Surat Tewari initiated by the learned Advocate Shri Zaffaryab Jilani on behalf of Sunni Central Board of Wakf, Defendant No.4 in continuation of the proceedings of 25 .09.2002).

The eastern gate is known as 'Hanumat Dwar' ever since the construction of Ram Janam Bhoomi temple. The disputed wall in which this gate is fitted and the disputed three domed building have been constructed simultaneously. This statement of mine is based on what I have heard from others, I have not read it in any book. I have heard it from saints and ascetics, but I may not be able to tell the name of any such saint-ascetic. In para 6 of my affidavit, I had stated, "A very ancient stone was laid, on which, the words 'Janam Bhoomi nitya yatra' were inscribed. I remembered the words 'Janam Bhoomi nitya yatra' and that is why I had got them recorded." The witness was shown photograph No.67 of colour album document No.280C-1 by the learned cross-examining advocate, on which, he stated, "The photograph is of some portion of the disputed building, but I may not be able to identify that portion." Similarly, the witness was shown photograph No.78 of the same album,

on which, he stated, "It appears to be the photograph of the northern, gate of the disputed building, but I cannot tell the angle from which this photograph has been taken." Similarly, photograph No.45 from the same album was shown to the witness, on which, he stated, "This again seems to be a photograph of some gate taken from inside, but I cannot tell precisely the gate which is visible in the photograph." Similarly, on looking at photograph No.46 of the same album, the witness stated, "This is again a photograph of some gate of the inside of the building, but I may not be able to identify the gate which is visible. To me, it appears that the gates visible in both these photographs are the inside gates of the domed building." The witness was shown photograph Nos. 37 and 38 of the same album, on which, the witness stated, "Both these photographs appear to be of the northern gate of the outside wall." The witness was then shown photograph No.44 of the same album, on which, he stated, "This is again a photograph of the disputed building, but I may not be able to identify the portion of the building visible in the photograph; I cannot tell about the gate of which half photograph is visible. I cannot make out what is written in the photograph. It is wrong to say that it was in 1950 when people started calling the eastern gate of the outer wall as 'Hanumat Dwar'. This is again wrong to say that people started calling the northern gate of the outer wall as 'Singh dwar' from 1950 onwards. I have not seen the stone in any of the photographs of the album shown to me so far about which, I had mentioned the words 'Janam Bhoomi nitya yatra' inscribed and as stated in para 6 of my affidavit. I feel that when Raja Vikramaditya renovated the disputed building, the stone, on which, as per my statement, the words 'Janam Bhoomi nitya yatra' were inscribed, was available there. This will be wrong to say that the stone was fitted in

the beginning of 20th century during the British rule. Such stones are fitted at a number of places, i.e. major religious points in Ayodhya. I do not remember if any such stone is fitted in the Janam sthan mandir in the north of the disputed building. I have seen stones similar to the ones fitted near the eastern gate of the outer wall of the disputed building at places like 'Vidya Kund', 'Dant Dhawan Kund' or 'Datun Kund', 'Sita Kund'. The witness was shown photographs from Nos. 49 to 54, on which, the witness stated, "These are the photographs of the pillars of the black 'kasauti' stones of the disputed building. In photograph No.50, a gatekeeper-like image is visible in the pillar. It appears that the gatekeeper is taking a shape downwards. No human image, image of any gatekeeper or of any God/ Goddess is visible on the pillars in photograph Nos. 49, 51, 52, 53 and 54. The pillar of the disputed building visible in photograph No.50 appears to be a pillar of the eastern gate. By the cave temple, mentioned in my affidavit, I mean to say that the cave was a part of the 'Ram Chabootra' itself, but since idols were placed on it, I named it as 'cave temple'. As far as my knowledge goes, idols of 'Kag Bhusundi', and 'Mata Kaushalya' were placed there, but since darkness prevailed there, the idols were not clearly visible. I myself could not identify properly the idols of 'Kaushalya' and 'Kag Bhusundi' due to darkness and the priests had told me that such idols were there. I used to have their 'darshan' without identifying them. I do not know when and who kept the idols of 'shiv darbar' in the disputed building. This is wrong to say that these idols were kept after 1949, I have been witnessing them since 1942." The witness was shown photograph No.58 of the same album, on which, he stated, "It is a photograph of the cave of 'Ram Chabootra'. Idol-like images are visible in this photograph, but I cannot identify them." Similarly, the witness was

shown the photograph Nos. 59, 60 and 61 of the same album, on which, he stated, "These are the photographs of 'shiv darbar'. I am finding something written in black on a white surface. As far as I remember, I have been witnessing these stones since 1942."

The witness was shown photograph Nos. 87, 88, 89 and 90 of colour album document No.200C-1, on which, the witness stated, "These are the photographs of some portions -of the disputed building and are the inside photographs of the domed building, but I may not be able to identify the portions of the building visible in the photographs." The witness was shown photograph Nos. 91, 92, 93 and 97 of album document 200C-1, on which, the witness stated, "These are the inside photographs of the disputed building, but I may not be able to identify the portions of the building visible in the photographs." The witness was then shown photograph Nos. 98, 99, 100, 102 and 103, on which, he stated, "These are the inside photographs of the disputed building. Photograph No.98 represents the dome and the door there under, wherein only half of the door is visible. Photograph No.99 is that of the middle gate. Photograph No.100 also appears to be that of the gate. Photograph No.102 is of the portion lying in between eastern wall and the lattice wall. Photograph No.103 is that of the middle gate. Pillars of black 'kasauti' are visible on both sides of the gate. On looking at this photograph. It appears that the width of this gate should be around 15 feet. I have seen the gate visible in the photograph at the site also and there its width appeared to be in between 12 to 15 feet. The floor like black strips on white stones visible in this photograph was available at the site also, where the entire floor under the dome was laid in this fashion. Photograph No.99 is also of the middle gate

and it appears from the photograph that the width of the gate is 12-15 feet. In this photograph, pillars of black 'kasauti' in the gate are visible to me. In photograph No.100, I am finding pillar of black 'kasauti' visible in the gate and the floor visible in photograph Nos.99 and 100 is the same as is visible in photograph No.103. This is wrong to say that I am making a false statement at this point to the effect that pillars of black stone are visible in photograph Nos. 99 and 100 and that both these photographs are not of the middle gate, which is shown in photograph No.103. It is wrong to say that pillars of black 'kasauti' are not fitted in the gate visible in photograph Nos. 99 and 100. It is again wrong to say that I have visited this place very few times and that is why I do not have a correct memory about these things." The witness was shown the photograph Nos. 128 and 129 of album 200C-1, on which, he stated, "These are the photographs of the disputed building only and appear to be of the southern portion of the building, that is it appears to be a photograph of the inner southern wall below the dome." The witness was shown photograph Nos.130, 131 and 132 of the same album, on which, he stated, "The photographs are of the disputed building, but I may not be able to identify the portions of the building visible in the photographs." The witness was then shown photograph Nos. from 104 to 127 in continuation, on which, he stated, "These are the photographs of the pillars of black 'kasauti' of the disputed building. Human images are visible in pillars in photograph Nos.104, 105, 108, 109, 113, 114, 115, 116, 117, 118, 121 and 126, the, scraped images are images of Gods/Goddesses. From photograph No. 104 onwards to photograph No.127, I am not able to identify any pillar fitted in the outside gate. In photograph No.104, the lower portion of the pillar painted in yellowish colour represents a human

image. It appears that it was a human image and yellowish colour has been painted on it. In photograph No.105, there is yet another human image painted in yellowish colour, whereas in photograph No.108, there is a human image painted in yellowish colour and a man appears to be dancing on its left side. In photograph No.109, a human image is painted in yellowish colour and a figure 'possibly of a man appears to be dancing on its left side. In photograph No. 113, a human image is visible on the left side of the painted portion, but the human image is not dancing. It is an image of some deity, but I am not able to identify the same. On a closer look, it appears to be an idol of Hanuman Ji. It is slightly scraped and some colour is smeared near the face. In photograph No.114, yellowish colour is visible, but no human image appears. On the left side of the portion smeared with yellowish colour, an image is visible, which is similar to the image visible in photograph No.113 that is the image of Hanuman Ji. In photograph No.115, yellowish colour is smeared and it is again a human image; there is another human image on its left side, which appears to be the image of Hanuman Ji. In photograph Nos.104, 105, 108 and 109, images of some deities are visible, but I am not able to identify them."

Question: When you are not able to identify the human images visible in the above photographs because of scraping or being smeared with colour, how could you say that they are the images of some deities?

Answer: Since the idols in the other pillars are of deities, it is on this basis that I am identifying them as the idols of deities.

Question: Which photographs of pillars have idols of deities, which you are able to identify?

Answer: In photograph Nos. 108 and 109, the idol of Shankar ji is visible and engaged in frenzied dancing ('tandav') mode.

In photographs Nos. 113, 114 and 115, idol of Hanuman Ji is visible. In photograph Nos. 116, 117 and 127, idol of Durga Ji is visible.

It is wrong to say that no idol or human image is visible in photograph Nos. 104 to 127 (in continuation) and that I am making this statement on instructions from my advocate. I had seen for the first time in 1986, when I had entered the building, the yellowish colour smeared on the pillars in the above photographs. This is wrong to say that because of the smearing of yellowish colour, I am not able to tell whether the portion smeared with yellowish colour was scraped. The witness was shown photograph. Nos. 136 to 147 in continuation, on which, the witness stated, "These are the photographs of the black pillars of the disputed building. In photograph No.136, a human image smeared with yellowish colour is visible. In photograph No.137 image of Shankar Bhagwan is visible. In photograph No.138 an idol of dancing Shankar is visible. In photograph No.141 also an idol is visible on the pillar, which I am not able to identify. In photograph No.140, idol of Hanuman Ji is appears to be there. In photograph No.141, the idol of Hanuman ji is visible playing on 'kartaal' in the portion smeared in yellowish colour in the pillar. In photograph Nos. 142, 143, 144 and 145, a white surface is visible on the upper side of the pillars, where some images in white colour are seen, but I am not able to identify them. In photograph Nos. 146 and 147. the portions smeared with

yellowish colour in the pillar appears to be an idol of Ganesh Ji. The yellowish colour visible in photograph No.137 appears to be the lower portion of the pillar. In this photograph, one idol of Shankar Ji is below the portion smeared with yellowish colour and there is yet another idol above it. The second idol of Shankar Ji is visible on the upper side of the pillar. In photograph No.138, the dancing idol of Shankar is visible in the upper portion. A human image is visible in the upper portion in photograph No.139, but I am not able to identify the same. In photograph No.140, image of Hanuman Ji is visible on the left side of the portion smeared with yellowish colour. The white patch visible on photograph Nos. 142 to 145 in continuation appears to be an idol. It is wrong to say that no human image or idol is visible in photograph Nos. 136 to 147 in continuation and that I am making this statement on instructions from my advocate. This is also wrong to say that the yellowish colour is not smeared on the pillars from the beginning and that it is there only after 1949. I do not know since when the pillars have been smeared with yellowish colour. I also cannot tell whether yellowish colour has been smeared on the pillars of the building right from their installation in the building or thereafter. It was for the first time that I had seen that the pillars had been smeared in yellowish colour in the year 1986." From looking at the photographs of the pillars shown to me today, I cannot tell as to which pillar was fixed at which place of the disputed building. While standing on the lattice wall, two black pillars were visible under the dome, which were fixed on the outer side of the middle gate. All the other pillars were fitted in the inside portion of the door. When I had entered the building below the dome in 1986, I had seen the four pillars closely and the others from a distance. The four pillars which I had seen closely were below the middle dome.

When I went there for the first time after the opening of the lock, I remained there for 20-25 minutes at the portion below the dome. I remained standing at the middle gate for 20-25 minutes and during these 20-25 minutes, nobody had removed me from there. Police people remained at the gate of the lattice wall at the outer gate of the building and also before the inside portion from where the devotees had 'darshan'. There was one policeman in the inside portion from where the devotees had a 'darshan' and the barricading was also there. When I went there for a 'darshan' for the first time, hundred of persons were inside the premises and thousands of them were available outside the premises. During my stay there, hundred of persons had 'darshan'. While having 'darshan', people used to go in a queue through the middle gate and used to come out from the other gate. However, there was no queue at the point of 'darshan', rather there was a rush at that point. For having a 'darshan', around 50 persons assembled there at one time and naturally people used to push each other, but no one tried to remove anyone. Anyone, who went for 'darshan' was allowed to have the same. In case, someone stood there for even an hour, no one removed him. The witness was shown photograph No.103 of colour album 200C-1, on which the witness stated, "The barricading rope was fixed in the east and five persons visible in the inside portion in the photograph and no one was allowed to go beyond the barricading. The maximum distance between the barricading and the point where the idol was fixed was five feet. It is wrong to say that I am making a false statement at this point and it is again wrong to say that no one was allowed to stay at the middle gate and that the devotees were immediately sent back after having 'darshan'. I have never gone inside beyond the barricading. When I had gone for 'darshan' in 1986, I had seen the black pillars

below the middle gate from a very close distance, say one foot. I would have remained at that middle gate for more than 20-35 minutes. My maximum stay at this point after 1986 has been for an hour. I had gone there for the first time two days before the opening of the lock in 1986. I had seen the eight pillars installed in the inside portion from a distance, I had seen the remaining eight pillars from the left and the right side. This is wrong to say that I am making a false statement at this point and this is again wrong to say that the eight pillars were not visible from outside. As far as I remember, pillars of black stone were fixed in the outer portion of the middle gate below the northern and southern domes. I had seen the remaining eight pillars-from a distance of 6-7 feet while standing in the courtyard. I had seen them during my visit to that place in between 1986 to 1992." Later on, he added that he might have seen them quite often and possibly sometimes not seen also not. Idols were not visible in the pillars from the distance He had seen them. The witness was shown photographs No.157 to 167 in continuation of colour album No.200C-1 by the learned cross-examining advocate, on which, the witness stated, "These are the photographs of the disputed building, but I may not be able to tell as to where were the pillars visible in the photographs fixed in the disputed building. In photograph No.157, an idol is visible in the pillar smeared by yellowish colour, but I am not able to identify the idol. The upper portion of photograph Nos. 158, 159 seem to be the images of some ascetics, but I am not able to identify the same, one small idol in the photograph is that of Ganesh Ji, the other one is bigger one, but I cannot identify it. In photograph Nos. 160, 161, yellowish colour is smeared on the pillars and it appears that some idol is there, but the same is not clearly visible. In photograph No.162, the portion smeared with yellowish colour appears

to be the idol of Hanuman Ji. Similarly, in photograph No.163, the portion smeared with yellowish colour again appears to be an idol of Hanuman Ji. In photograph No.164, Shankar Ji appears sitting in lotus posture just in between the pillars. Two idols are visible in the upper portion of the pillar in photograph No.165, but I cannot identify it. It is wrong to say that I am making a false statement at this point and this also is wrong to say that no idol is visible in any pillar in photograph Nos.157 to 167. At this point, the witness was shown photograph Nos. 176 to 200 by the learned cross- examining advocate, on which, the witness stated, "These are the photographs of the pillars of the disputed building, but I may not be able to tell the portions of the building to which they belong. There appears to be a human image in the portion smeared with yellowish colour in photograph Nos. 176, 177, but I am not able to identify the same. No human image or idol of any deity is visible in photograph No.178, only an image of a pitcher is visible in the upper portion of the pillar. A pitcher-like thing and no human image are visible in the upper portion of the pillar in photograph No.179. Idol of Durga Ji is visible in the portion smeared with yellowish colour in photograph No.180. Similarly, an idol of Hanuman Ji is visible in the portion smeared with yellowish colour in photograph No.181. No human image or image of any deity is visible in photograph No.182. It appears from in photograph No.183 the point smeared with yellowish colour in photograph No.183 that someone is dancing with both his hands raised, but I am not able to identify the same. No human image is visible to me in photograph No.184. A human image is visible in the portion smeared with yellowish colour in photograph No.185, but I am not able to identify it. No human image is visible in photograph No.186. Some human image is visible in the lower portion of the pillar in photograph No.187, but I am not able

to identify it. Similarly, human images are visible in the lower portions smeared with yellowish colour in photograph Nos. 188 and 189, but are not identifiable by me. Human image is also visible in the lower portion smeared with yellowish colour in photograph No.190, but I am not able to identify the same. No human image is visible in photograph Nos. 191 and 192. Idol of Hanuman Ji is visible in the portion smeared with yellowish colour in photograph No.193; Idol of Durga is visible in the portion smeared with yellowish colour in photograph No.194 and another idol of Durga Ji is visible in photograph No.195 also. Some human image is visible in the portion smeared with yellowish colour in photograph No.196, but the same is unidentifiable to me. No human image is visible in photograph Nos.197 and 198. Idol of Durga Ji is visible in the portion smeared with yellowish colour in photograph Nos.199 and 200. This is wrong to say that no such things are visible in the photographs, where I have indicated to have seen the images of Gods/Goddesses, human beings and pitcher or the image of some ascetics." The witness was shown photograph Nos.168, 169, 171, 172 and 173 of the same album, on which, the witness stated, "These photographs are of the disputed building and all of them are of the inside portion of the domed building. I am not be able to tell to which portions of the building, all these or any of these photographs belong. My reference to the idols of 'Jai Vijay' in para 6 of the sworn affidavit stands for 'Jai-Vijay', who were the guards of Shankar Ji. I have not seen the idols of 'Jai-Vijay' anywhere. I have not seen the idols of 'Jai-Vijay' in any of the pillars of the photographs shown to me today. My brother had told me that the idols fitted in the black pillars of the outer gate were of 'Jai-Vijay'. I do not recognise 'Jai-Vijay' or their idols. I have not seen the idols

of 'Jai-Vijay' in the pillars of the photographs shown to me today."

The witness was shown photograph Nos. 55 to 66 in continuation of black and white album No.201C-1, on which, the witness stated, "These are the photographs of the pillars of the disputed building, but I may not be able to tell the portion of the disputed building to which these pillars belong to. A human image is visible on the upper portion of the wall in photograph No.55, but I may not be able to identify this human image of the deity. A human image is visible in the lower portion of photograph No.56, which I am not able to identify. Yet another human image is visible in the centre of the pillar in photograph No.57, which I am not able to identify. No human image is visible in photograph No.58. A human image is visible in the central and the lower portion of the photograph No.59, but I am not able to identify the human image of the deity. No human image is visible in photograph No.60. A human image is visible on a white patch type of thing on the right side of the pillar in photograph No.60, but I am not able to identify the same. Black lines and a human image is visible there under in upper portion of the pillar in photograph No.61, but I am not able to identify the same. An image is visible in the upper portion of photograph No.62, which appears to be that of Shankar Ji. A pitcher is visible in the lower portion in photograph No.63, a human image is also visible in the white patch in the upper portion of the photograph, but I am not able to identify the same. No human image is visible in photograph No.64 and photograph No.65. A human image is visible in the centre of the pillar in photograph No.66, which appears to be that of Durga Ji. This is wrong to say that no human image, pitcher or idols of deities are visible in photograph Nos.55 to 66 and this is also wrong to say

that I am making a false statement at this point." At this point, the witness was shown photograph Nos. 25, 26 and 27 of the same album by the learned cross-examining advocate, on which, he stated, "These are the photographs of the disputed building, but I may not be able to tell to which portions of the building the photographs belong. Black pillars are visible to me in this photograph. No image of any guard or human image of any deity is visible in the pillar in photograph No.25, whereas an image of a guard is visible in the pillar in photograph No.26. Image of some Gods-Goddesses and that of a guard below them is visible in the centre of the photograph No.26. An image of guard is visible in the centre of the pillar in photograph No.27 and no image of any God-Goddess is visible in this photograph. This is wrong to say that there is no image of any guard or God-Goddess in any of the three pillars and it is also wrong to say that I am making a false statement at this point."

Statement read over and verified

Sd/-

Ram Surat Tewari

26.09.2002

Typed by the Stenographer in the open court on dictation by me, witness will present on 27.09.2002 for further examination in this case.

Sd/-

(Narendra Prasad)

Commissioner

26.09.2002

Dated 27.09.2002

O.P.W.7 - Shri Ram Surat Tewari

Before the Commissioner Shri Narendra Prasad, Additional District Judge/Officer on Special Duty, Hon'ble High Court, Lucknow Division Bench, Lucknow.

{Appointed vide order dated 13.09.2002 of the Hon'ble full Bench in Other Original Suit No. 5/89 (Original Suit No. 236/89)}.

(Cross-examination on oath of O.P.W.7 - Shri Ram Surat Tewari initiated by the learned Advocate Shri Zaffaryab Jilani on behalf of Sunni Central Board of Wakf, Defendant No.4 in continuation of the proceedings of 26.09.2002).

The witness was shown photograph No.27 of black and white album document No.201C-1 and photograph No.51 of colour album document No.200C-1, on which, the witness stated, "Both these photographs are of the same pillar." Similarly, the witness was shown photograph No.57 of album document No.201C-1 and photograph Nos.108 and 109 of album document No.200C-1, on which, the witness stated, "Both these photographs are of the same pillar." Similarly, witness was shown photograph No.58 of album document No.201 C-I and photograph Nos.113, 114 and 115 of album document No.200C-1 and the following question was posed:

Question: Are the above photograph Nos.113, 114 and 115 of the lower portion of the same pillar, which has been shown in photograph No.58?

(At this point, Shri Ajay Kumar Pandey, the learned advocate of the plaintiffs objected saying that the witness was neither an expert of photography nor the photographs have been taken in his presence; the witness is neither an Archaeologist nor a Art Historian, and, therefore, it is not very relevant and justified to ask a question based on the comparison of various photographs and permission should not be granted to pose such questions.)

Answer: I may not be able to tell it.

Similarly the witness was shown photograph Nos. 110 and 111 of album document No.200C-I and photograph No.58 of album document No.201C-1 and the following question was, posed:

Question: Are all the three photographs of the same pillar?

(At this point, Shri Ajay Kumar Pandey, the learned advocate of the plaintiffs repeated his objection).

Answer: All the three photographs are of the same pillar.

The witness was shown photograph No.67 of black and white album No.201C-1, on which, the witness stated, "It is a photograph of the disputed building. When I went inside the disputed building in 1986, I had seen the photograph of Gurudatt Singh visible in this photograph placed on a stool or a table under the southern dome. I had seen this photograph kept in the middle of the western wall below the southern dome. When I had entered from the middle gate and went in the left side, I found this photograph placed there. I had gone upto the front or the gate below the southern dome. I have visited that place, i.e.

the front portion of the gate below the southern dome many a times and had gone there for the first time also". The witness was shown photograph No.69, of the same album, on which, he stated, "I do not remember whether I had seen the fan visible in this photograph or not. It appears to me that this photograph has been taken from inside of the middle dome." The witness was shown photograph Nos.71, 72, 73, 74, 75 and 76, on which, he stated, "These are the photographs of the pillars of the disputed building only, but I am not be able to tell to which portions of the building they belong to. A human image is visible in the upper portion of photograph Nos.71 and 72, but I may not be able to identify the same. A human image also appears on the carving in the centre in photograph No.73, but I am not able to identify the same. Image of Ganesh Ji appears to be there in the lower portion of photograph No.74. A bust is visible in the upper portion of photograph No.75, but I. may not be able to identify the same. Idol of Ganesh Ji is visible in the upper portion of photograph No.76." The witness was shown photograph Nos.77, 78 and 80 of the same album, on which, he stated, "I do not know if the clock visible in these photographs was fixed in the disputed building at the time of my visit in 1986. It is a photograph of the portion of the building below the dome. I cannot tell under which domes the portions visible in photograph Nos.77 and 78 fall, but photograph No.80 represents the portion of the middle dome." The witness was shown photograph Nos. 86, 87,88,89,90 and 91, on which, he stated, "These are the photographs of the disputed building, but I may not be able to tell to which portions of the disputed building they belong to. There appears to be a human image at the patch in the lower portion visible in photograph No.86, but I am not able to identify the same. An image of an ascetic is visible in the upper portion of photograph No.87, but I may not be able to

identify the ascetic. A human image is visible in the left portion adjacent to the patch in the middle in photograph No.88, but I cannot identify the same. A human image is visible in the upper portion in photograph No.89, but I am not able to identify the same. In photograph No.90, only a lotus posture is visible without any human body and I am not able to identify the same. Idol of Ganesh Ji appears to be visible in the centre of photograph No.91 "Photograph No.D of 308C-1/14 was shown to the witness and the following question was asked:

Question: This photograph is of which pillar of the disputed building?

(On this, Shri Ved Prakash, learned advocate of plaintiffs objected saying that the witness was neither an Archaeologist nor an art specialist and the question being asked from him about the photograph is only to mislead him because it is not a stand taken by the plaintiffs themselves that these are the photographs of the pillars installed in the disputed site. The question is not relevant and permission should not be granted to ask such a question.)

(Against this objection, Shri Zaffaryab Jilani, learned advocate on behalf of defendant No.4, stated that the learned advocate of the plaintiffs through his objection, had suggested to the witness an answer to the question and if such objections persist suggesting answers to the question or an inkling about them to the witness, cross-examination would be rendered meaningless and the learned cross-examining advocate stated that since the learned advocate of the plaintiffs had already suggested an answer of the question, no answer was warranted from the witness.)

(In reply to the objection raised by the learned advocate cross-examining the witness, the advocate Shri Ved Prakash, learned advocate of the plaintiffs stated that the question had been asked to mislead the witness and the objection that he raised to explain the word 'mislead' was justified.)

(After this, Shri Zaffaryab Jilani, the learned cross-examining advocate stated that the statement of the learned advocate of the plaintiffs to the effect that he was explaining the word 'mislead' was totally baseless because he had not raised any objections at his level while the other advocate was getting his objections recorded nor he had raised any objection against the word 'misleading', his objection was there only when the other learned advocate got it recorded in his objection because it was not a stand taken by the plaintiffs themselves that these were the photographs of the pillars installed in the disputed site.)

Under the circumstances, answer to the above question was not sought from the witness.

The witness was shown photograph No.118C-1/151 by the learned cross-examining advocate, on which the witness stated, "I have not seen an image visible in this photograph in any of the pillars in the disputed building". The witness was shown photograph No. 118C-1/152, on which, he stated, "I do not remember whether I had seen the pillar visible in this photograph in the disputed building or not."

The witness was shown photograph No.92 of document No.201C-1 by the learned cross-examining advocate, on which, the witness stated, "Boxes are visible

to me in this photograph. It is a photograph of the lower dome of the disputed building, but I cannot tell under which dome does this portion fall. The wall visible in the photograph is the western wall of the disputed building. I do not remember if I had seen this material visible in the photograph lying at that place during my visit in 1986." On looking at photograph No.93, the witness stated, "It is a part of the middle dome". The witness was shown photograph Nos.95 to 106 in continuation of the same album by the learned cross-examining advocate, on which, the witness stated, "These are the photographs of the pillars of the disputed building only, but I may not be able to tell the portions to which they belong to." Human image is visible both on the lower and upper portions of photograph No.95, but I may not be able to identify the same. An image of some ascetic is visible in photograph No.96 and a human image is also visible there under, but I may not be able to identify the same. Human image is again visible in the central portion of photograph No.97, but I cannot identify the same. No human image is visible in photograph No.98. The human image visible in the upper portion of photograph No.99 appears to be that of Hanuman Ji. A human image is visible in the central portion of photograph No.100, which I am not able to identify. Yet another human image is visible in the white patch in the lower side of photograph No.101, which I cannot identify. A human image is visible in photograph No.102 at the point where a white patch is visible, but I cannot identify the same. Same is the position with regard to photograph No.103. No human image is visible in photograph No.104. A human image is visible in the upper portion of photograph No.105, but I am not able to identify the same. A human image is visible in photograph No.106 and it appears that something is also written below it. This is wrong to say that

I am making a false statement at this point and it is wrong to say that no human image, images of Gods-Goddesses or ascetics are not visible in the photographs of the pillars of the disputed building shown to me today.

I have stayed for a maximum time of two hours at the disputed site at a time during each of my visit to the site. I do not remember the number of occasions when I have stayed at the disputed premises for two hours. I also do not remember whether I had stayed for two hours on 2-4, 10-20 or 100-500 occasions. I have stayed for two hours at the disputed building during 1986 and 1992 also, but I do not remember the number of such occasions.

I have stayed at the disputed building for two hours during 1949 to 1986, but I do not remember the number of such occasions. I had stayed at the disputed site for two hours even during the year 1949, but I do not remember the number of occasions when I had stayed for such a time at the disputed site. In 1949, I was studying in class 9th and was staying at the Regional Boarding House, Faizabad. Whenever I went to the disputed site from Faizabad during 1949, I always returned back to Faizabad. I had visited the disputed site. In 1949 in the morning, at noon and at 4.00 PM also. I used to go to Ayodhya from Faizabad sometimes on foot, sometime on cycle and sometimes by a rickshaw. The disputed premises would be at a distance of around eight kilometres from the Regional Boarding House and it took me around one and a half hours on foot to cover this journey from the Regional Boarding House to the disputed site. There had never been an occasion in 1949 that I had gone to Ayodhya and did not return to Faizabad or would have stayed at Ayodhya itself. My brother had left his service in 1949 and had gone back to his house. After

relinquishing his service, he had gone back to his village in 1945. Religious singing of hymns or 'kirtan' and recitation of Ramayan outside the premises and in front of the 'Ram Chabootra' had started two months before the establishing of the idols in 1949. The singing of hymns had started in October 1949 and continued thereafter. This activity continued for all the 24 hours. The 'kirtan' which was held outside the disputed premises was organised in the eastern side that is in the east of the entire premises. The area outside the disputed building, where 'kirtan' was held, was 200-250 feet long and 200-250 feet wide. Loudspeakers were fitted both inside and outside the disputed building at the place where 'kirtan' was held. Persons performing 'kirtan' inside the premises were different from the persons doing 'kirtan' outside. The persons performing 'kirtan' inside comprised saints, ascetics, priests and general public. A maximum of 60-65 people attended the 'kirtan' in the disputed building at a point of time and a very big crowd in thousands participated in the 'kirtan' outside the premises. A religious discourse followed the 'kirtan' held outside the disputed building. No political leader made any speeches there. The names of the speakers comprised Baba Nritya Gopal Das Ji, Baba Sukhram Das Ji and Mahant Avidya Nath Ji and likewise many other saints. Besides the above three speakers Prabhudutt Brahmachari, Baba Raghavdas Ji, Ram Chandra Param Has Ji and Mahant Bade Bhakt Maal. I also delivered lectures - I do not remember their names. I do remember the name of Baba Raghuvar Das, who delivered lectures during those days. Along with the recitation of 'Akhand Ramcharitmanas', cleaning and cutting of shrubs also continued. Some people were engaged in 'kirtan' and recitation of Ramayan, whereas others cleaned and cut the shrubs, which were in the eastern and northern sides of the

disputed building. At certain places, the height of the shrubs was similar to that of the human beings. The work of cutting and cleaning of shrubs continued till October and around 50-60 people were engaged in this activity. This activity of cleaning and cutting started from 10.00 AM till 4.00 PM. I had seen these shrubs in 1942. Prior to the cutting of the shrubs, the 'kirtan' and recitation of Ramayan was held at a smaller place, but after the cutting of shrubs, the activity was organised in an area around 200-250 feet long and 200-250 feet wide. I do not know whether the 'kirtan' and recitation of Ramayan had started at the Chabootra in front of the eastern gate prior to the cutting of the shrubs. I do not know whether the Chabootra was cemented or not. It is not correct to say that the Chabootra was called as 'Ganj Shaheeda'. It is also wrong to say that concrete graves were existing in front of the eastern gate of the disputed building. This is also wrong to say that graves were built on the way in the north of the outer northern wall of the disputed building. Vacant land was available outside the disputed building in the eastern direction, but I do not know as to who was the owner of this land. This is wrong to say that it was the burial ground and that is why shrubs had grown there. I never stayed for 24 hours at the place of 'kirtan' or Ayodhya, but this is what I am talking of 1949. Whenever I went there, the persons performing 'kirtan' used to tell me that 'kirtan' had been going on there all the 24 hours and it was on the basis of their statement that I stated in my sworn affidavit that "kirtan had been going on incessantly round the clock. In my sworn statement, my words "to the best of my knowledge" are based on the fact that I had learnt from these people that 'kirtan' had been going on there round the clock. There is a difference between the recitation of 'Akhand Ramcharitmanas' and 'kirtan'. The recitation of 'Akhand Ramcharitmanas', 'kirtan'

and 'Sitaram Jap' - all the three activities are different from each other and all the three activities continued round the clock. Persons engaged in organising or reading the three were different. All the three activities were organised in groups inside and outside the disputed building, a large tent had been set up for 'kirtan' and 'Akhand Paath' at the disputed site, but no tent had been fixed inside the building. During 'kirtan' lighting arrangements were in position both inside and outside the disputed building. The tent had been fixed outside the disputed building after the cutting of the shrubs and it did not cover the entire area of the 'kirtan', it covered only a part thereof. People not only from Ayodhya, but also from the nearby villages and remote districts participated in programmes like 'kirtan' etc. The number of police personnel present there, was not big - only some 2-4 policemen were there. I do not remember whether the policemen remained inside the disputed building or they roamed only outside the building.

I cannot tell about the time since when the locks had been put on the two gates of the lattice wall of the disputed building. I also cannot tell as to when, why and who had put these locks"

Question: You have all along been considering the disputed building as a temple. When you went there and saw the lock for the first time and when you were not allowed to enter in, did you try to find out before 1949 as to when, why and who had put these locks?

Answer: I had sought information about this position from the people. It was during the time when 'Akhand kirtan' was going on there that I had asked people as to why a lock had been put there.

People had told me that some dispute was going on. They had also told me that the dispute was revolving around temple-mosque. I had asked this question sometime during October, November, December 1949 and not earlier.

I had also asked the people about the stand being taken by the people of mosque side. I was told that people of mosque side called it a mosque, whereas the people of temple side called it a temple. Muslims of Ayodhya maintained that it was a mosque. I do not know their names nor I tried to find out. Even at that time, I did not try to find out as to who had put the locks from or before 1942 - whether it was the mosque-side people or the temple-side people who were responsible for this. I had, however, asked the priest as to who was accepting the money, garlands etc. offered at the temple and who cleaned the premises. The priest had told me that he alone opened the lock, cleaned and collected the money and 'prasad'. This is something, which the priest had told me during October-November-December 1949. I am aware that the Magistrate had put a lock there in December 1949.

Ram Kachaheri, Rang Mahal, Ram Khazana, Rain Gulela and one more building the name of which I cannot recall right now, are located in the eastern-northern side of Sumitra Bhawan. I do not know whether the above four buildings had the names like this during the period of Dashrath or later on. I also do not know whether the names of these buildings have been continuing since the time of Raja Dashrath or not. However, I do remember that all these buildings fell under the main palace of Raja Dashrath and were a part of his palace. Even today, all the above buildings are located in the eastern side of the disputed

building. The distance between the eastern gate of the disputed building, i.e. 'Hanumat Dwar and 'Ram Kachahen' would be around 50 metres and distance of 'Rang Mahal' from the same gate would be 60 metres. 'Ram Gulela' would be at a distance of around 300 metres and 'Ram Khazana' at a distance of around 100 metres from the same eastern gate.

The 'very long hut' mentioned by me in para 7 of my sworn statement, should be 40-45 feet long and 10-12 feet wide. The hut had been built after leaving a space of four-five feet from the eastern gate and had terminated 7-8 feet before the northern wall. Two tin gates were also fitted therein - one on the store and the other on granary. Initially, the hut had a thatched roof, which was replaced by a tin. Prior to 1949, it was a thatched roof after which it was converted into a tin roof. A maximum of 25-30 saints were visible in the hut at any point of time. There is a difference between a saint and an ascetic. Some of the above 25-30 people were saints and the remaining were ascetics. People of Hanumangarhi are called ascetics, whereas people of 'Akharas' are known as saints. I do not know whether I had seen the same saints -ascetics whom I had seen for the first time during my second visit also. I do not remember any such saint - ascetic whom I would have seen for years together. The priests were among only these saints - ascetics. I do not remember any priest whom I would have seen here again and again. It is wrong to say that I am making a false statement at this point and this is also wrong to say that there was no store available there and that it was a place where 'muezzins' lived. I have mentioned about 'Garbh-Griha' in para 7 of my sworn statement and from this word, I mean the birth place of Lord Rama. 'Garbh-Griha' is situated only in such temples

where God has taken a birth. I do not remember whether there is a 'Garbh-Griha' in any other temple of Ayodhya. I also do not know if there is a 'Garbh-Griha' in any other temple of India or whether there is any other temple even in the entire world, a 'Garbh-Griha' is available.

Lord Varah is an incarnation of Lord Vishnu and Lord Rama and Lord Krishna are the incarnations of the same Lord Vishnu. I do not know the number of incarnations that Lord Vishnu had. I believe that the number of incarnations of Lord Vishnu was within ten. I am aware of only two incarnations of Lord Vishnu who had taken birth as human beings and they are: Lord Rama and Lord Krishna. One of the incarnations of Lord Rama was in the form of Varah or a pig. I cannot tell whether the other incarnations of Lord Vishnu were human beings or any other forms. I do not know the place where Lord Vishnu had taken the birth in the form of a Varah or a pig. Such a place is not in Ayodhya, it is outside Ayodhya, but in India, I do not know whether there exists a temple or not at the place where Lord Varah had taken birth. Lord Vishnu had taken birth, as a Varah is something mentioned in scriptures, but I do not know the names thereof I also do not know whether Lord Varah was born before the birth of Lord Rama or later on. I also do not know whether Lord Varah was born before the birth of Lord Krishna or later on. I do not know whether any idol or temple of Lord Varah is located in Ayodhya or not. I have not seen his idol in my own village in Faizabad or at any place. Mention of Lord Varah does not find place in any of the three scriptures, viz: Valmiki Ramayan, Tulsi Ramcharitmanas and Gita.

Sakshi Gopal Mandir is present even today. It is in the eastern side and at a distance of 140-145 feet from the

outer eastern wall of the disputed premises. I do not know whose idol is installed in this temple because I have never gone into it. It has not been related with Ram Chandra Ji in any way" Later on, he stated that there would have been idols possibly of Ram Chandra Ji, but he was not sure. He added, "I cannot tell whether any part of this temple had been demolished during the leveling work. Shankar Chabootra was located at a distance of 20-25 feet from the eastern gate of the disputed building, where I never went for the purpose of a 'darshan'.

Question: Besides the places and temples located in the eastern side of the disputed building, about which you have mentioned upto now, are there any other places or temples also which have a religious importance in your opinion?

Answer: There was a temple in the north of 'Sita Koop' and a hut of a saint was located in the north of 'Sita Koop' and there was a small cave type temple close to it.

I do not have any knowledge of any Ramayan or any other 'Akhand Paath' going on all the 24 hours inside or outside the disputed premises prior to 1949. Of course, recitation of the holy name of Sitaram continued for all the 24 hours inside and outside the disputed premises after 1949, but 'Akhand Paath' of Ramayan or Ramcharitmanas was not held. Recitation of holy name of Sitaram was continued for all the 24 hours every day from 1950 to 1992. Persons engaged in this activity comprised saints, ascetics and a few householders. Recitation of 'Ram Naam' continued in groups all the 24 hours. I remember only one name of Ram Dayal amongst those engaged in this activity from 1950 to 1992, I do not remember any other name. The

above said Ram Dayal lives in Ayodhya, but I do not know the Mohalla in which he lives. He should be around 60-65 years of age. He is a householder having some agricultural land. I do not remember the name of his father. I used to meet him whenever I visited the disputed site.

Statement read over and verified

Sd/-

Ram Surat Tewari

27.09.2002

Typed by the Stenographer in the open court on dictation by me. The witness will present on 30.09.2002 for further examination in this case.

Sd/-

(Narendra Prasad)

Commissioner

27.09.2002

Dated 30.09.2002

O.P.W. 7 - Shri Ram Surat Tewari

(Cross-examination on oath of O.P.W. 7 - Shri Ram Surat Tewari initiated by the learned Advocate Shri Zaffaryab Jilani on behalf of Sunni Central Board of Wakf, Defendant No.4 in continuation of the proceedings of 27.09.2002).

The witness stated, "I was not in Ayodhya, but at my house in Faizabad on the day, on which the disputed building was demolished, that is 6th December 1992. On 7th December too, I was at my house in Faizabad and did not visit Ayodhya on 6th and 7th December 1992 at all. Curfew had been imposed at both Ayodhya and Faizabad on 7th December. I do not remember how long had the curfew continued. Satyendra Das, priest of the disputed building had told me that the idols kept inside the disputed building had not been destroyed on 6th December 1992. He also told me that he had taken away the idols when demolition of the building had started. He had kept the idols with him at some distance near the building. Satyendra Das had taken away all the idols from the building before its demolition. He had taken away both the thrones along with the idols and kept on standing till the construction of the existing platform. The existing platform had been constructed by 6.00 PM on the same day, i.e. 6th December 1992 and the idols have been kept again on the platform. After 6th December 1992, I went to Ayodhya for having a 'darshan' of the disputed site four-six times every year. I do not go to the disputed site on every Tuesday. I would have surely frequented the disputed site 50-60 times from 1992 till this day. After 6th December 1992, I had seen the idol of only Ramlalla at the disputed site and did not see the other

idols kept on the platform. He stated on his own that permission is given to stay there for only two minutes and, therefore, it is not possible to have a clear view. Idol of Ramlalla is visible at the disputed site, but other idols are not visible directly. I had seen only the idol of Ramlalla lying there and I do not remember whether the remaining idols were there or not. When the idol was kept at 6.00 PM on the platform after the demolition of the disputed building, sufficient number of saints-ascetics, learned people were present there and the idols were set up with recitation of 'mantras' - Satyedndra Ji had apprised me of all these facts. I do not know the 'mantra' which is recited at the setting up of the idols. Satyendra Das Ji had not told me about it. Even today, I am not aware of that 'mantra'. A number of saints had recited the 'mantra' collectively for about half an hour and the idol was set up within 15-20 minutes after the recitation of the 'mantra'. The idol was set up by priest Satyendra Das. Satyendra Das Ji had also told me that the four feet long wall adjacent to the platform had also been constructed at that time. Satyendra Das Ji did not tell me whether the cloth had been mounted on the platform or not. He also did not tell me nor it transpired from any other source whether any measurement had been undertaken of the disputed site before the construction of the platform. Of course, he had told me that the idol had been set up at the point where it had been set up initially. Since Satyendra Das Ji had informed me, I believed him and did not find it necessary to confirm it from any other source. My statement recorded in the last four lines of para 18 of my sworn statement are based on the facts mentioned to me by Satyendra Das Ji and that is why I have mentioned in para 18 of my affidavit that my statement is based on my knowledge. My statement to the effect that "some enthusiastic Kar Sewaks, on the motivation of Hanuman Ji,

had demolished the three-domed building" was based on the facts mentioned to me by Sahjade Yadav Alok Srivastava, Mahant Shyam Bihari Das etc. and that the demolition was on the motivation of Hanuman Ji, was my own thinking.

I believe that it was Hanuman Ji, who had motivated for the demolition of the disputed building. I also believe that the disputed building was Ram Janam Bhoomi Mandir. I have a firm faith that Hanuman Ji is a devotee of Ram Chandra and it was he who had motivated for the construction of a palatial temple of Ramlalla at the disputed site. I believe that it was on the motivation of Hanuman Ji that lacs of people had assembled at the disputed site on 6th December 1992. I do not remember whether the then Chief Minister of Uttar Pradesh and Smt. Vijayaraje Scindia, the then Vice Chairman of Vishwa Hindu Parishad had given an assurance before the Supreme Court of India that no damage would be done to the disputed building and that status quo would be maintained. I also do not know that the Supreme Court had directed that status quo may be maintained with regard to the disputed building and premises. According to my faith, Hanuman Ji is omnipotent, not God, but a deity and or supreme being and is omniscient. I may not be able to tell whether Hanuman Ji knew that the Supreme Court had directed to maintain status quo in respect of the disputed building. At this point, Shri Ved Prakash Ji, advocate of the plaintiffs objected saying that permission should not be granted to ask such a question. At this point, Shri Jaffarvab Jilani said, "Since the witness had stated in para 18 of his sworn affidavit that it was in his knowledge that the three-domed building had been demolished on the motivation of Hanuman Ji and as such, my question is justified because the witness has

stated this fact on the basis of his knowledge. Since the question of Hanuman Ji knowing about the directions of the Supreme Court is fully hypothetical, this question and its answer are cancelled.

My statement in my affidavit to the effect that the three-domed building was demolished on the motivation of Hanuman Ji is not based on my knowledge, rather on my faith. It's not my knowledge, but I have such a faith. I have myself got the verification of this affidavit recorded. I do not find any difference in between faith and knowledge and that is why I have got the word 'knowledge' recorded.

Movement and meetings for the construction of a palatial temple of Lord Ram at this place had been going on even before 1986. This movement has been going on since 1948-49. By my statement recorded in the last three lines of para 17 of my sworn affidavit, I mean that the movement got acceleration after 1986. I have not seen any Mohammedan visiting the disputed site from 1942 to 1992. There was some uproar at the disputed site during my visit in October 1949 and on enquiry, the saints had informed me that some Mohammedans who were coming to that side had been diverted. At that time, 'katha kirtan' was going on at the site and I had gone to participate in the same. My statement in para 15 of my affidavit to the effect that, "If any Muslim appeared.....was chased away" is based on this very incident of 1949.

Only 'Ram dhun' was held in the disputed premises and the recitation of 'Akhand Ramcharitmanas' was held outside the premises. Recitation of 'Sitaram' is also known as 'Ram dhun'. 50-60 people used to sit at the platform of the disputed building during the recitation of the name of

'Sitaram', which was held outside the premises also. Hundreds of devotees used to recite 'Ram dhun' collectively. I had met Ram Dayal Ji, about whom I mentioned in my statement of 27th September 2002, for the first time, near the Ram Chabootra in 1986. I do not remember the date of my last meeting with him. This is wrong to say that no kirtan', recitation of 'Ramcharitmanas' or the name of 'Sitaram' was held till 22nd December 1949 in the disputed premises. This is also wrong to say that prayers of all the five times and namaz of Friday was held in the disputed building till 22nd December 1949. This is also wrong to say that the three-domed building was a mosque and had never been a temple. This is also wrong to say that I am making this false statement in the court because I am a member of Vishwa Hindu Parishad. This is also wrong to say that I am a member of Vishwa Hindu Parishad. It is also wrong to say that Shri Triloki Nath Pandey Ji, who is an office-bearer of Vishwa Hindu Parishad, brought me here to depose."

(Cross-examination by Shri Zaffaryab Jilani, advocate on behalf of defendant No.4 , Sunni Central Wakf Board concluded.)

(Cross-examination by Shri Mushtaq Ahmed Siddiqui, Advocate on behalf of defendant No.5 initiated.)

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The witness continued, "It is right to say that I studied two languages during my middle class; my first language was Hindi and the second one was Urdu. I have some knowledge of writing and reading Urdu along with Hindi. I belonged to Village Baisingh located in the south of Ayodhya and have been a resident of Faizabad since 1965 I

have been residing in Kandhari Bazar since 1965 till this day. I retired from service on 31.01.1988 and have been making my both ends meet from there only. I have never been an Accountant of Ayodhya Region during my service career. I have some knowledge about revenue villages of Ayodhya city. A few names of such villages are: Kot Ram Chandra, Avadh Khas, Berhata, Meeranpur Dehrabibi etc. Chakrateerath is not a Mauja, but a mohalla.

I have been an Lekhpal of the following revenue villages of Faizabad: Nara, Sookhapur Etura, Avnipur Saroha, revenue villages Faizabad, Niyanya, Ranopali, Majha Jamthara, Sarai Rasi. Entries relating to the property of temples located in Mauja Faizabad, Chak Gaurapatti and Gaurapatti are available in these villages. The land of temples in Ayodhya is located in areas of Bara Sthan, Sanwalia Sitarajmahal. Bara Sthan is in temple Ayodhya, which is the temple of Lord Rama. This temple is situated in between the disputed site and Hanumangarhi. Immense movable and immovable property is located nearby temple Hanumangarhi, Janam Sthan Mandir, Sitarajmahal, Ratan Sinhasan, Bara Sthan. Bara Sthan mandir is not inside the Dashrath Mahal. I have been to the Bara Sthan mandir. No idol of any God-Goddess except that of archer Lord Rama is available in this temple. I have also been to the Janam Sthan mandir and there too only idols of Ram Darbar are available. Ram Darbar comprises idols of Ram, Laxman, Sita Ji and Hanuman. Sita Rasoi is also located in Janam Sthan mandir and that is why its name is also Janam Sthan Sita Rasoi mandir. When I went to have a 'darshan of Janam Sthan mandir. I did not have the 'darshan' of 'Sita Rasoi'. I have never seen 'Sita Rasoi' of Janam Sthan. Amongst the temples I have mentioned above maximum wealth is with Hanumangarhi temple and then comes the

name of Bara Sthan mandir. I do not know whether the above temples in Ayodhya have properties in other places also. I do not know whether the wealth in these temples has been bestowed the devotees or not I have never thought from where these temples got hold of so much of wealth. I do not know whether Bara Sthan mandir has any property in the name of Mohal Babu Lal. It is to my knowledge that after the eradication of Zamindari System, zamindari of temples had also been revoked. I understand that while revoking the zamindari of the temples, their annual grant had been prescribed. After the cessation of zamindari of the above temples, they still have a lot of land property with them. The villages, in which I was an Lekhpal, included the properties of Janam Sthan mandir also. My knowledge goes till the year 1988. I do not know whether this property is in the name of that Mandir after 1988 or till to day. This is the same Janam Sthan Mandir, which is located in the north of the disputed site. It is not to my knowledge whether there was any property in the name of the disputed building, which I call as Ram Janm Bhoomi Mandir. As far as my knowledge goes, no property was there in the name of Ram Janam Bhoomi Mandir (which I call as Ram Janam Bhoomi Mandir) located in the disputed site.

Incarnation of God and His emergence are two different things. Incarnation and taking birth is one and the same thing. In my opinion, Ramlalla had emerged at Janam Bhoomi Mandir before the sunrise on 22/23 December 1949. This is wrong to say that someone has placed the idols on the platform inside the disputed building, in so far my knowledge goes, it is incorrect to say that somebody has brought the idols from outside and placed them at the disputed building. It is my faith and belief that Ramlalla had

emerged in the disputed building and it is on the basis of this faith that this building is called Ram Janam Bhoomi Mandir and even prior to it, it was called Janam Sthan Mandir because it was the birth place of Lord Rama. Birth place and native land have different connotations. This is wrong to say that a place will be called birth place if one had taken his birth there, rather the term 'birth place' covers the entire area. Native land means the place where Lord Rama had taken birth. As per my belief, Lord Rama had taken birth below the middle dome in the three-domed disputed building and it was exactly at that point where Ramlalla had emerged in 1949. On entering the disputed building from the eastern gate, one found vacant land and then there was the lattice wall and a Ram Chabootra on the left hand side of the same. According to my estimate, the length and breadth of Ram Chabootra would be 21 X 15 feet and the distance in between the eastern gate and the lattice wall would be around 30-35 feet. While entering the lattice wall through the gate, there was one more Chabootra, which was around one foot high from the ground level and it was just adjacent to the lattice wall.

As per the Hindu customs, there is no system of burial of the dead bodies and it is in very rare cases that the dead bodies are buried. In Hindus, there is system of making 'samadhi'. There is no hard and fast rule about the shape, length, breadth and direction of the location of 'samadhi'.

This is correct to say that in Muslim community, there is a system of burying the dead bodies and graves are constructed at the place of burial. Some people construct graves of clay while others go for concrete graves. The graves made of clay vanish with the passage of time leaving a deep pit there. I am not aware whether such pits

also get filled up after the lapse of 100-50 years. I had an opportunity to participate in the funeral procession of a Mohammedan. I have not seen the process of laying down the dead body in the grave very closely and I am also not aware whether the dead body is always laid in north-south direction. I am also not aware whether at the time of laying down the dead body, the face is slightly slanted towards the west. I am not aware whether dead bodies were buried in the Hindu 'samadhis' built near the disputed site. There is a possibility that there might be ashes or remains of the dead bodies in the samadhis. I do not remember whether all the samadhis which I have seen and which are near the disputed site about which I have mentioned in my statement, are in the north-south direction or not. I have not seen any temple outside Avodhya. I did go to Banaras for having a holy dip, but did not go to any temple for having a 'darshan'. Similarly, I have gone to Allahabad for taking a bath, but did not go to any temple for a 'darshan'.

Peak and dome are one and the same thing. In the disputed building, the middle dome was bigger, whereas the other two domes nearby were smaller in size. This is correct to say that all the three domes were in a straight line. I am not aware whether building other than temples also have domes. I have seen 'Gurudwaras' and I am not sure whether I have seen domes on the 'Gurudwaras' or not. There is a 'Gurudwara' located in the west at some distance from the disputed site. I have seen this 'Gurudwara' from inside and outside also, but I do not remember whether I had seen any dome on that 'Gurudwara'.

I have heard the word 'tomb' and have also seen it. I saw a tomb in Faizabad itself. The name of this tomb was

'Bahubegam ka Makbara'. I had been to that tomb once during my student life, but never during my service as an Lekhpal. I am aware that the office of Settlement Officer, Consolidation functioned from that tomb but I had never been to that office. I do not remember whether the office of Settlement Officer, Consolidation functioning at 'Bahubegam Makbara' had any dome or not. This tomb is located on Faizabad-Allahabad road in Faizabad city and whenever you go from the crossing to the barrier, the tomb is visible. It is a very big building. Since my attention was never drawn towards the dome, so I did not see any such tomb. The tomb is located in Faizabad Revenue area.

There is a very big building known as 'Gulabbari' in Faizabad located in Mauja Faizabad. I have never entered this building and have seen it only from outside. I do not remember if there is any dome or tower in this building. The Gulabbari building comprises of a tomb and has many graveyards, including graves of nawabs. I do not know whether there is any dome or peak in this Gulabbari building. Whenever I have to go to Ayodhya from Kandhari Bazar, I pass through the crossing. There is a mosque in front of the clock tower at the crossing. I do not remember whether there is any peak or dome on this mosque. This is correct to say that from this mosque roads are leading in the east, west and south directions. On the north side, there is 'panwali gali', which I have frequented thousand of times, but I have never come across a dome or a tower on the mosque. Sometimes, I go to Ayodhya via 'Reedgunj' and sometimes via 'Gudari Bazar'. This is correct to say that while going through the 'Reedgunj' road, the Gulabbari building is visible. From the roadside, only the gate is visible. The roadways bus stand is located in Faizabad and I have seen it, 'Idgah' is located in the south of the roadways bus stand. I do not know whether there is any

mosque by the name of 'Adgade' in the north of the road at the same point. I have not seen such a mosque. The 'Idgah' and the roadways bus stop are located in Mauja Faizabad. The eastern portion of the roadways bus stop is a part of the cantonment. The name of the Mauja in the east is Cantt Gaurabari." Later on, he added that Mauja Faizabad is just in the east of the roadways and cantonment is in the eastern-southern corner.

The witness continued, "I have seen a number of temples in Ayodhya, but did not find any dome or peak in any temple. A building by the name of Ram Katha Kunj has been constructed in Ayodhya recently. This building would have been constructed within ten-fifteen years time. Ram Katha Kunj about which I am mentioning is located at the bank of Saryu Ji and it is also called by the name of 'Ram Katha Kunj'- and 'Ram Katha Park'. So far my knowledge goes, there is no building by the name of Ram Katha Kunj at a distance of 150 metres from the disputed site in the eastern-southern direction.

I have neither seen nor heard of 'Nal Teela'. I have definitely heard of 'Kuber Teela' which is located in the south of the disputed site. Kuber Teela has since vanished. The word 'Teela' stands for a mound. Kuber Teela is at a place higher than the disputed site. I am aware of the crossing of 'Tedhi Bazar'. There are two ways of going to the disputed site from that crossing. one through the main road and the other by the road of 'Tedhi Bazar'. I have been to the disputed site through both these ways. When I have gone to the disputed site through the Tedhi Bazar road, I do not remember if any mosque is located on the way or not. However, a temple is there. Only two temples are located from the crossing of Tedhi Bazar to Dorahi

Kuan Chauraha. I do not remember whether any mosque is located in the west from the road of Dorahi Kuan. I do not remember whether any mosque is located while going through the main road. There might be a mosque in the entire Ayodhya city, but I have neither seen any such mosque nor remember to have seen. I am not aware of any mosque besides the mosque at the crossing of Faizabad city. There is a majority of Mohammedans in the mohalla where I live. I am aware that Mohammedans offer prayers (namaz), but I do not know how many times do they offer prayers (namaz). So far my knowledge goes, most of the Mohammedans offer prayers (Zume ki namaz) on Friday. Mohammedans of my mohalla would also be offering prayers but I am not aware about the place where they go for this purpose.

Ram Chabootra was available at the disputed site, but no one performed 'parikrama' of this Chabootra. 'Parikrama' was performed of the entire premises which included Ram Chabootra. Similarly, 'parikrama' was also done in Kanak Bhawan, which covered all the temples built inside the Kanak Bhawan. 'Parikrama' was not performed outside the building. In Hanumangarhi also, 'parikrama' was performed all around the temple. 'Parikrama' performed at Hanumangarhi is not performed in the way it is done at the disputed site. I have visited 'Barasthan Mandir' where there is a provision of 'parikrama'. However, I have never performed 'parikrama' there. There is an arrangement of the 'parikrama' of the temple built inside the building. There is no such provision for a 'parikrama' of the premises in any temple of Ayodhya like the one, we have at the disputed site. Volunteer: that since the entire premises were regarded as the temple, 'parikrama' was performed of the entire premises." He added, "Two types of 'parikrama' are

performed in Ayodhya known as 'Panchkosi' and 'Chaudahkosi'. This is correct to say that 'Chaudahkosi' parikrama includes the 'parikrama' of Faizabad city, whereas the 'Panchkosi' parikrama covers the entire Ayodhya city. Since Ayodhya and Faizabad - both cities are regarded as revered cities; there is a provision for 'Chaudahkosi' parikrama."

Statement read over and verified

Sd/-

Ram Suraj Tewari

30.09.2002

Typed by the Stenographer in the open court on dictation by me. Witness will be present on 1.10.2002 for further examination in this case.

Sd/-

(Narendra Prasad)

Commissioner

30.09.2002

Dated 01.10.2002

O.P.W. 7 - Shri Ram Surat Tewari

(Cross-examination of O.P.W. 7 - Shri Ram Surat Tewari on oath before the Hon'ble Full Bench initiated by the learned Advocate Shri Mushtaq Ahmed Siddiqui on behalf of Defendant No.5 in continuation of the proceedings of 30.09.2002).

I had seen a tower in the 'Idgah' at Faizabad, but I do not remember at this point of time, whether the number of towers was one or more than one. I have seen the mosque which comprises of a vacant place on the front portion and a round dome on the roof. The direction of the mosque is mostly towards east. In the mosque, which I had seen, the passage of coming out was in the east. I do not know whether prayers are offered (namaz) facing west.

I do not remember as to how long the curfew was imposed in Faizabad on 6th and 7th December 1992 continued. The curfew had not ended in a day or two, but I cannot tell at this point of time for how many days did it continue. I do not know at what distance was Satyendra Das standing at the time of demolition of the structure. I also do not know in which direction he was standing at that time. As per the version of Satyendra Das Ji, when the structure was likely to fall at 12.00 noon, he brought the idols out. I am Vaishnav. One who performs religious devotion after receiving 'mantra' from the guru is known as Vaishnav. One, who is a devotee of Lord Rama and has faith in him, is known as 'Ram Bhakt'. I am not an expert of the art of sculpture. But I have the knowledge of spiritualism. Whenever I see a man having 'chandan' smeared on his forehead and grown hair and beard and

lives in saintly attires, I take him to be a saint. There are other saints also. Every such person is a saint, who follows the path of religion. A saint and a sadhu are one and the same thing. I believe that Lord Rama had not emerged but had taken the birth from the womb of mother Kaushalya and he was the son of Raja Dashrath. It is an incident of Treta Yuga. There has never been dissolution of the world (pralay). I believe that at the place where Lord Rama had taken birth, Shri Ramlalla had emerged before the sunrise at the same place, i.e. below the middle tomb of the disputed building on 22/23 December 1949. The lower portion of the middle dome would be around 10 feet long and 10 feet wide and I believe that this ten feet long and wide place is revered and pious place which I have called as 'prasuti griha' in my statement. Idols of Gods-Goddesses have different images. To my knowledge, the image of the childhood of Lord Rama is the same and so is the case with the idol of his adulthood and that of Sitaji. I believe that since the birth of Sri Ram in Treta Yuga, his idol has been of the same type and same type of idol is available everywhere. Every such place, where Lord Rama is established is pious and revered irrespective of the fact whether the place is big or small. Similarly, all the places in Ayodhya, including temples wherever idol of Lord Rama is established are pious and revered places.

I believe that deities are aware of the future and the past, i.e. they know of the future events. I believe that Hanuman Ji was aware of all the future events and also of the past. According to my faith, he knew whatever was happening anywhere in India. I cannot tell when did Hanuman Ji provide motivation for building of a splendid temple or when should this work be started. The courtyard adjacent to the lattice wall in the disputed building was 40-

45 feet long and around 25 feet wide. During my service, I have given statements or evidence only in cases relating to transfer of land of property. After my retirement, there was no occasion for me for deposing in any court. Whenever I went for deposing in a case relating to mutation proceeding, I was never cross-examined. From the word 'Ram Janam Bhoomi premises' I mean the entire area and from the words 'Ram Janam Bhoomi I mean the place where Lord Rama was born, i.e. 10 X 10 feet area of the middle dome. Shiv Darbar comprised of idols of Shivji, Ganeshji, Nandi Bail(Bull), Parvatiji etc. By the word 'Shiv' I do not mean 'Shaiv' (devotee of Shiva), but Lord Shankar. The idol of the Darbar of Lord Shiva and that of Lord Vishnu are not found at one place. 'Panchmukhi' is the idol of Shankarji. I never stayed during the night at the disputed building. Whenever I visited the disputed premises during the day, I stayed there for an hour or two and sometimes returned quite early. I have no knowledge about slabs. I do not know what is engraved on a slab and when was the engraving done. I have no knowledge about the types of slabs and their life. It is correct to say that I have stated in para 6 of my sworn statement that a very old slab was fixed outside the 'Hanumat Dwar', on which the words "Janam Bhoomi Nitya Yatra" were engraved. I have been observing this slab since 1942 and as people have told me this slab was laid down by Vikramaditya during the renovation of the temple. It is on this basis that I have stated that a very old slab has been lying there. I do not remember the period (century) during which Raja Vikramaditya had undertaken the work of renovation. I believe that human images were engraved in the black slabs fitted in the disputed building. I have stated in para 6 of my sworn affidavit that human images were engraved in the slabs and their faces had been scratched. By the above statement, I mean whichever

image was engraved and was on the upper portion had been scratched. It is correct to say that in my statement, I have mentioned that ochre colour had been smeared on some slabs and that I had seen ochre colour smeared on some slabs after 1986 and not earlier to that. Images engraved on the slabs were not visible from a distance. The black images engraved on the black slabs on the disputed building about which I have mentioned, were seen by me in 1986.

There is a column in the plan of revenue records, which comprises 'alamat', i.e. signs. It is correct to say that there should be a sign of a temple in the column if there is a temple in the plan of revenue records.

The first settlement executed in Faizabad sometime in 1862 is called first regular settlement, where the map of the population, Khasra were not shown separately. As told to me, Khasra of the habitation was created during the settlement of 1901 I have not come across the first regular settlement at any time during my service career. I do not remember if the settlement of the habitation of district Faizabad executed in 1901 represented the entire Faizabad District or of any particular place. I have never seen the plan or Khasra of Faizabad city or nearby habitation. Nor I have seen the map of 'nazul'.

It is not in my knowledge whether the Government had issued any direction in 1980 to get the graveyards, mosques, tombs surveyed and a map prepared thereof. Since 22/23 December 1949 'prakatya diwas' (day of appearance) is being observed on the same date every year in the disputed building in Ayodhya. I do not know as to where 'shaurya diwas' is observed. I have never heard of

'shaurya diwas' from 6th December 1993 till this day. Now-a-days, I go to the disputed premises through the main road from Hanumangarhi and not through the disputed main gate on the Faizabad Gorakhpur road."

At this point, the witness was shown photograph Nos. 158, 159 of colour album document No.200C-1 by the learned cross-examining advocate, on which, he stated, "These are the photographs of the inside pillars portion of the disputed building. Images of saints are visible on the upper portion of the pillars in both these photographs. Beard and hair of the saints are also visible and it was on this basis that I had stated that there was an image of a saint on the pillar. Two small human images are visible in this centre of pillars, which I am not able to identify and tell." Later on, he saw an image in photograph No.158 and another image in photograph No.159, i.e. a human image was visible in each of the two pillars. Image of any animal or bird is not visible anywhere in the two pillars. Image of Ganeshji is also not visible on both these pillars." At this point, the attention of the witness was drawn to tenth line of his statement of 26.9.2002 on page 89, by the learned cross-examining advocate and the following question was asked:

Question: You had stated in your above statement that a small image of Ganeshji is visible and there is also a bigger image in this photograph - then which of your statements, i.e. your earlier statement or your statement of today is correct?

On this, the witness stated, "My earlier statement and my statement of today - both are correct. Something is visible in the photograph, but I cannot identify it. It appears to be the image of Ganesh ji. I do not find any difference in my earlier statement and my statement of today."

At this point, the witness was shown photograph No.113 of colour album document No.200C-1, on which, he stated, "A human image is visible in the photograph. A small patch of ochre colour is smeared at the centre of the pillar where the human image is visible. Complete body and face of the human image is visible in this photograph, but there are no hair and beard. The image in this pillar seems to be that of a deity and not of an ordinary human being." On looking at photograph No.113, the witness stated, "The face of the human image appears to have been scratched. It appears that the portion near the foot of the human image visible in this pillar has been scratched. This is wrong to say that my statement to the effect that the human image in the above photograph pertains to some saint or God-Goddesses is wrong. This is also wrong to say that the human images and Gods-Goddesses about whom I have mentioned with reference to the coloured photographs are not visible in those photographs. This is correct to say that in any picture the porter/guard is not seen present. This is also wrong to say that my statement about the visibility of images in the above said photographs is based on my emotions and it is not based on the motivation of Hanuman Ji."

At this point, the attention of the witness was drawn to photograph No.87 of black and white album document No.201-C-1 by the learned cross-examining advocate, on which, the witness stated, "The pillar visible in this photograph is of the inner portion of the building constructed at the disputed site and a human image is visible in the upper portion of the pillar. Image of a saint is visible on the upper portion of the pillar in this photograph and a human image is also built in the middle, which appears to be that of Ganesh Ji, but I am not able to identify the same correctly. In this photograph, the face of

the image of the saint is not visible; however, his hair and beard are visible. A mark on the forehead is not visible in the photograph. This is wrong to say that my statement about visibility of human images and image of saints in the album is based on my emotions. This is wrong to say that as per its architecture, the disputed building is a mosque. This is also wrong to say that prayers (namaz) were offered regularly here till 22nd December 1949. This is wrong to say that I am concealing these facts and making a false statement. It is equally wrong to say that I did not believe the disputed building to be a temple prior to 22nd December 1949. He himself stated that he had such a belief right since 1942.

(Cross-examination by Mushtaq Ahmed Siddiqui, advocate on behalf of Defendant No.5 concluded.)

(On behalf of defendant No.26, Shri T.A. Khan, Advocate accepted the cross-examination done by defendants No.4, 5 and 6).

(On behalf of defendant No.6/1 and 6/2 Suit No.3/89, Shri Fazley Alam, Advocate accepted the cross-examination done by defendants No.4, 5 and 6).

Cross-examination by all the defendants/ parties completed and the witness is discharged.

Statement read over and verified

Sd/-
Ram Surat Tewari
01.10.2002

Typed by the Stenographer in the open court on dictation by me.

Sd/-
(Narendra Prasad)
Commissioner
01.10.2002